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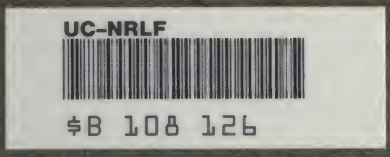

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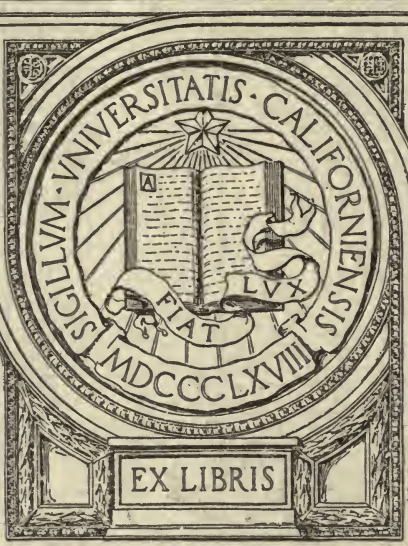

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VIEWS ON THE SYNOD

COMPILED BY

COMMITTEE OF THE CENTRAL CONFERENCE OF AMERICAN RABBIS

OF THE
UNIVERSITY
OF
CALIFORNIA

1905
The Lord Baltimore Press
THE FRIEDENWALD CO.
BALTIMORE, MD.

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PREFACE

At the meeting of the Central Conference of American Rabbis, held at Louisville, Ky., in June, 1904, the committee to whom was referred the suggestion in the president's report to convene a Synod presented a majority and minority report. Because of the differences of opinion in the committee and among the members of the conference at large the signers of the majority report recommended that the executive committee be instructed to issue a pamphlet containing opinions *pro* and *con* on the subject, this pamphlet to be distributed among the people with the purpose of forming and educating public opinion on this vital question. The executive committee entrusted the preparation of the pamphlet to a committee consisting of David Philipson, chairman; H. G. Enelow, Morris M. Feuerlicht, Adolf Guttmacher, and Wm. Rosenau. The committee has compiled opinions on the Synod voiced by leaders of Jewish thought during the past sixty years. The committee has attempted to maintain a purely objective attitude and has included opinions favorable and unfavorable to the project. It has carefully excluded, as far as possible, all articles of a personal nature and also those of a purely polemical abusive character. The material has been drawn for the most part from the files of Jewish newspapers and magazines. The committee has not aimed to reproduce everything that has been published on this theme, but merely to present a number of statements which, in its judgment, discuss the subject from various points of view.

The committee is indebted to Dr. E. Schreiber, of Chicago, for having placed at its disposal some material in his possession; the articles which he has compiled and translated are subscribed with his initial.

In accordance with the instructions of the Conference the papers and reports read at its meetings touching the subject of the Synod have been included. The committee hopes that this compilation may aid those who read and study these opinions to come to a clear decision and conclusion as to the advisability or non-advisability of forming a Synod as the representative Jewish organization;

notably the members of the Conference who are to decide upon this all-important question at the coming session in Cleveland, the city in which the famous Conference was held fifty years ago, at which the Synod question was discussed for the first time in a gathering of Jewish notables in this country.

The following circular letter was sent to a number of laymen throughout the country by the committee. The answers received are given in this publication.

November 23, 1904.

Dear Sir: You are aware, no doubt, that at its last convention in Louisville, the Central Conference of American Rabbis discussed the advisability and feasibility of establishing a Jewish Synod in this country. The Conference realizes that even were such an institution to be established, it would be worthless unless it responded to the needs and the will of the people. For that reason, a committee has been appointed, to publish a pamphlet on the question, and to distribute it broadcast for the general enlightenment of those in whose behalf the Synod shall, or shall not be organized.

In addition to some historical literature and the reports and papers presented before the Conference, it is the purpose of the committee to publish, in a pamphlet, the opinions of some eminent Jewish laymen, on the subject. We take the liberty of asking you, as a representative Jew, to favor us with a statement of your position in this matter.

As we know that the plan of the Synod is but partly understood by the people, and has often been misrepresented, we mail you under separate cover, the Conference reports on the subject, and we hope that you will be so kind as to read them carefully, and consider them in the expression of your view.

It is needless to say, that the committee addresses this request to you, because it believes you to be interested in the welfare of Judaism, and is confident that your opinion, whatever it be, will be worthy of the attention and respect of all those interested in this important movement.

Sincerely yours,

———, ———.

VIEWS ON THE SYNOD

1841.

PREAMBLE ADOPTED FOR THE ESTABLISHMENT OF A UNION OF THE ISRAELITES OF AMERICA, JULY 12, 1841.

The Israelites of Philadelphia, in common with their brethren in other places in America, have long since been alive to the many evils under which they labor in the great downfall of religious observance and the want of proper religious education among them. But, deeming it their duty to leave no means untried to counteract the deplorable state of want of proper observance, and to promote a due knowledge of the blessed religion they have received from their fathers, they have resolved to propose a union of all Israelites residing in America, to effect by a common and united effort, that which would evidently be beyond the power of accomplishing by any one of the small congregations in which the Israelites of this country are divided. They, therefore, offer the following suggestions, which they hope will forward greatly the desired result; in, first, establishing a competent ecclesiastical authority, agreeably to the injunction of the law in Deut. xvi: 18, "Judges and officers shalt thou appoint for thyself in all thy gates, which the Lord thy God giveth thee throughout thy tribes"; secondly, by establishing schools for general and religious education under Jewish superintendence, as commanded in Deut. vi: 7, "And thou shalt teach them diligently to thy children"; thirdly, by promoting harmony and a concert of action among all their brethren scattered over the western hemisphere, in accordance with the lofty aspiration of the Psalmist who says (cxxxiii: 1): "Behold, how good and how pleasant it is for brethren to dwell together in unity." With these views the committee recommend the adoption of the following rules and regulations for the government and action of the Israelites of America.

[See *The Occident*, Vol. III, p. 176.]

LEESER, 1845.

UNION FOR THE SAKE OF JUDAISM.

. . . . . We are well aware that there are not a few in this country (and for that matter in Europe), who have a great aversion to priestly domination, and for one we wish to be reckoned among this class; for to our view there exists nothing more odious than a man who, whilst professing to be guided by the humbling tenets of religion, lifts up his heart above his fellowmen, as though his calling were not for their, but exclusively for his, own benefit. Many among these may therefore object to all ecclesiastical authority, as leading to a tyranny over the conscience more to be dreaded than the great liberty now so universal. But we beg to differ with those who entertain this thought. There is unfortunately enough of priest-power now in the local ministers, quite as much as is likely to arise if we have spiritual chiefs. We have seen enough to convince us that, whereas at times the ministers are too little regarded by their constituents, they are at others looked upon with a ridiculous air of veneration, as though a mortal man must be infallible because he has a clerical character. In this foolish devotion men and women exhibit their folly alike, even in this free and enlightened country; and to judge from circumstances, this unwise course has led to many unpleasant feelings towards those who could not so regard as infallible the idolized ministers. We have seen this frequently among our gentile neighbors; and so little have we profited by this evidence of its evil consequences, that we have occasionally followed upon the same path. The men, however, who, according to our plan, are to be invested with authority, will have nothing of a coercive power conferred upon them; they are only to advise, to instruct, to admonish, to teach by example no less than by precept; and as such they can never have a party attached to them, unless, which God forfend, the spirit of madness should seize upon the minds of teachers and people, which would lead to those results which induce them to forsake the plain letter of the law and the tradition to substitute the fancies of men in their place. Such a result, however, we do not fear; it is in fact the isolated state of our congregations, which may lead to the formation of parties among

us; and only by the selection of intelligent teachers can this threatening evil be avoided. . . . .

[See *Occident*, Vol. III, pp. 220-221, Aug., 1845.]

FROM THE APPEAL OF THE BERLIN GENOSSENSCHAFT FUER REFORM IM JUDENTHUM, APRIL 2, 1845.

Our appeal goes forth to you, our German coreligionists far and near, that you associate yourselves with us, assure us of your support by word and deed and assist us so that we, in great numbers, can convene a synod which shall renew and establish Judaism in a form worthy of continuing as a living force for us and our children.

[*Allgemeine Zeitung des Judenthums*, 1845, pp. 234-236; *Der Israelit des neunzehnten Jahrhunderts*, 1845, pp. 129-130.]

DR. SAML. HOLDHEIM'S COMMENT ON ABOVE APPEAL.

The idea of a synod which governs and inspires the signers of the appeal, though they have as yet no particular community in mind, is in the first place not exempt from internal contradictions, and, probably on this account, cannot be carried out practically. The belief in authority is innate in man, so that even he who is apparently most free cannot entirely guard against it. When Lessing said "all who mock at their fetters are not free," he spoke truthfully. Do away with priesthood in one form, it will always return in another. What the appeal wishes to accomplish through the convening of a synod is, on the one hand, the agreement of a large number of like-minded persons on the expressed convictions, and, on the other hand, the coöperation or support of theologians by profession who are the real experts and have a scientific training.[1]

[1] Der Gedanke einer Synode, der die Unterzeichner des Aufrufes, weil sie noch nicht das leibhafte Bild einer an einem Orte befindlichen Gemeinde vor Augen hatte, beherrschte und sogar begeisterte, ist erstens nicht frei von innern Widersprüchen und (vielleicht deshalb) zweitens ein praktisch unausführbarer. Der Autoritätsglaube steckt den Menschen in den Gliedern, dass die Freiesten sich dessen nicht ganz erwehren können, und es bewährt sich das Wort Lessing's, "es sind nicht alle frei, die ihrer Ketten spotten." Man mag das Priesterthum in einer bestimmten Gestalt austreiben, es kehrt in einer andern Gestalt immer wieder. Was der Aufruf durch die Berufung einer Synode erstreben will, ist einerseits die Zustimmung einer grösseren

S. STERN ON ABOVE APPEAL, 1845.

[A comment on the suggestion to call a synod contained in the Appeal of the Berlin Reform Association, by Dr. S. Stern, one of the founders of the Association, and one of the writers of the appeal in his brochure, *Die Gegenwärtige Bewegung im Judenthume*, Berlin, 1845, pp. 44-45.]

The synod will be composed of representatives elected by the congregations and its essential task will be to see that it express in its decisions the convictions of the community at large and satisfy its needs. It is not to consider itself an authority whose duty to make laws which, because they are issued by it, shall be binding upon all, but it is to look upon itself as the only and highest means by which the conviction and will of this body, composed of many, shall find expression. For the new form in our religion is not to be imposed from without as has been the case but should spring from the genuine and well-understood need of the present. Only in this way can the synod fully and properly satisfy this need. The synod then will be composed of true representatives of the congregations, that is, of men who not only know the convictions of the same, but have imbibed them in their deepest and purest sense. The synod is not a rabbinical conference but naturally it will be an essential requirement for the fulfillment of its tasks that science and theology as well as the immediate, practical needs of life be well represented by men eminently fitted. The decrees of the synod must be decisive and binding on the congregations, which have joined this religious union. Binding (bindend), I say, but not forever (bleibend). Binding for the moment but not for eternity. The essential significance of the present movement in Judaism is the casting off of the shackles of traditional ceremonialism, and so we cannot call into being new institutions which would lay claims to similar eternal validity. Therefore we must not look upon the decrees of this synod as the authentic interpretation of the divine will, but as the complete expression of the contemporary religious consciousness and as the

---

Anzahl von Gleichgesinnten zu den ausgesprochenen Ueberzeugungen, und andererseits die Mitwirkung resp. Unterstützung von eigentlich sachverständigen wissenschaftlich gebildeten Theologen von Fach.

[*Geschichte der Entstehung und Entwickelung der jüdischen Reformgemeinde in Berlin*, 1857, p. 119.]

realization of the religious needs apparent in the Judaism of to-day. Consequently sessions of the synod must take place at stated times, not too frequent, so that the idea of the uninterrupted development of Judaism be not lost sight of without becoming at the same time too domineering a factor.[2]

[2] Die Synode wird aus selbstgewählten Vertretern der Gemeinden bestehen, und es als ihre wesentliche Aufgabe anzusehen haben, in ihren Beschlüssen die Ueberzeugung der Gesammtheit zu verwirklichen und ihren Bedürfniss die Befriedigung zu gewähren. Sie wird sich nicht als eine Behörde anzusehen haben, der es zusteht Gesetze zu geben, die, weil sie von ihr ausgehen, bindende Kraft für die Gesammtheit haben, sondern sie wird sich als das einige und höchste Organ betrachten, in welchem die Ueberzeugung und der Wille dieser vielfach gegliederten Gesammtheit ihren Ausdruck finden. Denn die neue Form unserer Religion soll nicht wieder eine von Aussen gegebene, sondern eine dem wahrhaften und wohlverstandenen Bedürfniss der Gegenwart entsprungene sein; und nur so wird sie diesem Bedürfniss vollkommen und in der rechten Weise zu genügen vermögen. Die Synode wird also aus wahrhaften Vertretern der Gemeinden zusammengesetzt sein, das heisst aus Männern, welche die Ueberzeugung derselben nicht nur kennen, sondern sie am tiefsten und reinsten in sich aufgenommen haben. Die Synode ist keine Rabbinerversammlung; doch wird es natürlich ein wesentliches Erforderniss für die Erfüllung ihrer Aufgabe sein, dass das Element der Wissenschaft und der Gottesgelehrheit kräftig in derselben vertreten sei, so wie auch das unmittelbare Bedürfniss des Lebens durch Männer vertreten sein muss, welche mit ihrer ganzen Persönlichkeit diesem angehören. Die Beschlüsse der Synode müssen entscheidend und bindend für die Gemeinden sein, die sich einmal dem gemeinsamen Religionsverbande angeschlossen haben; ich sage bindend, aber nicht bleibend, bindend für den Moment aber nicht für die Ewigkeit. Das wesentliche Moment der gegenwärtigen Bewegung ist die Befreiung von der Stabilität der gegebenen religiösen Formen des Judenthums, und wir können nicht neue Schöpfungen hervorrufen, die wieder eine gleiche ewige Geltung für sich in Anspruch nehmen. Darum müssen die Beschlüsse dieser Synode nicht als authentische Auslegungen des göttlichen Willens, sondern als der vollständigste Ausdruck des gegenwärtigen Religionsbewusstseins, und als die Verwirklichung des im heutigen Judenthum sich kundgebenden religiösen Bedürfnisses angesehen werden. Darum muss die Erneuerung der Synodalversammlung in bestimmten, freilich nicht allzukurzen Zeitabschnitten festgestellt werden, damit das Element des ununterbrochenen Werdens im Leben des Judenthums nicht untergehe, ohne allzumächtig in demselben zu walten.

[From *Die Gegenwärtige Bewegung im Judenthume*, Dr. S. Stern, 1845, pp. 44-45.]

M. HESS, 1845.

In the reform movement an assembly inaugurated by the people and composed of its most intelligent and high-minded members, a synod, is the best means of establishing the elements common to all as well as guarding individual religious freedom.[3]

1846.

FROM THE ADDRESS ISSUED BY THE BRESLAU GENOSSENSCHAFT FÜR REFORM IM JUDENTHUME, APRIL 2, 1846.

THE REFORM MOVEMENT IN BRESLAU.

The rabbis, for certain reasons, can surely not anticipate all needs. These must first make themselves felt distinctly. Religion is not merely the affair of the scholar, the guide and teacher of the community. It concerns every individual, especially since there is in Judaism no distinction between clergy and laity. Those who are not rabbis must also attempt to gain a clear conception of the convictions and needs of Judaism and give utterance to them. This is what we greet as a glorious sign of the times in the Association for Reform in Berlin. This association has, indeed, not yet given expression to any hard and fast principles. It has merely demonstrated the evident need for a more decided reform than has been instituted hitherto. . . . . It has arranged for a meeting of all the friends of reform to be held on the 14th and 15th of April for deliberation and consultation. Their's is an example for us to copy. That we come to some understanding on numerous points to be brought up at the above-mentioned deliberations, is certainly a matter of great import-

[3] Eine aus dem Volke hervorgehende und seine intelligensten und gesinnungsvollsten Glieder zählende Versammlung, eine Synode, ist am ersten geeignet bei dem Werk der Reform sowohl das alle gemeinsame festzustellen als die individuelle Glaubensfreiheit zu wahren.

[Editorial comment on same, *Der Israelit des neunzehnten Jahrhunderts*, 1845, Vol. VI, p. 163.]

ance to us; let us not then permit the opportunity to slip by of strengthening and rectifying our convictions by mutual discussion.[4]

THE PROVISIONAL COMMITTEE OF THE BRESLAU
ASSOCIATION FOR REFORM IN JUDAISM.

BRESLAU, Mar. 30, 1846.

1848.

PROGRAM OF THE FRIENDS OF REFORM OF THE JEWISH RELIGIOUS COMMUNITY OF WORMS.

We consider that the congregational policy best suited for the future which shall accord the opportunity to all members of the congregation of expressing their opinions directly, as well as through representatives, and of thus participating in the shaping of religious

[4] Freilich können die Rabbiner auch noch aus andern Gründen nicht allen Bedürfnissen zuvorkommen; diese müssen sich erst selbst bestimmt geltend machen. Die Religion ist nicht blos die Sache des Gelehrten, des Führers und Lehrers der Gemeinde, sie ist die Sache eines jeden Einzeln, und namentlich im Judenthume gibt es keinen Unterschied zwischen Laien und Priestern. Es müssen also auch die Nicht-Rabbiner über die Ueberzeugungen und Bedürfnisse sich klar zu machen suchen und sie aussprechen. Das ist es, was wir in der Reformgenossenschaft zu Berlin als ein schönes Zeichen unserer Zeit begrüssen. Diese hat allerdings bis jetzt keine festen Grundsätze ausgesprochen, sie hat blos das Bedürfniss einer entschiedenen Reform, als sie bisher sich gezeigt hat, kundgegeben, sie hat . . . . auf den 14. und 15. April Berathungen angesetzt mit sämmtlichen Freunden der Reform im Judenthume. Wir sehen hierin ein Beispiel, das von uns Nachahmung verdient. Eine Verständigung über mehrere Punkte, welche bei jenen Berathungen vorkommen, ist gewiss auch für uns von grossem Werthe, und so wollen wir uns das Mittel nicht entgehen lassen, durch gegenseitige Besprechung auch unsere Ueberzeugungen zu kräftigen und zu berichtigen.

DAS VORLÄUFIGE COMITE DER BRESLAUER
GENOSSENSCHAFT FÜR REFORM IM JUDENTHUME.

BRESLAU, den 30. März, 1846.

[*Der Israelit des neunzehnten Jahrhunderts*, Vol. VII, Apr. 26, 1846, p. 134.]

affairs. Therefore, we demand periodical public assemblies of the congregations, and just such synods.[5]

[*Allgemeine Zeitung des Judenthums*, July 17, 1848, Vol. XII, p. 431.]

1848.

CALL FOR A SYNOD TO TAKE PLACE OF THE RABBINICAL CONFERENCE.

We are of the opinion that the rabbinical conferences are no longer in keeping with the need of the time. The people must take their religious affairs into their own hands. Judaism demands that the work of progress be done by the communities themselves. Therefore, instead of a rabbinical conference we must have a synod whose members must be chosen directly by the people irrespective of the fact as to whether they are rabbis or not, for Judaism knows no distinction between rabbis and laymen.[6]

[5] Als die angemessene Gemeindeverfassung der Zukunft erkennen wir diejenige, welche allen Gliedern der Gemeinde Gelegenheit gewährt, sowohl unmittelbar als auch durch Vertreter sich auszusprechen und an der Gestaltung des religiösen Lebens sich zu betheiligen. Wir verlangen daher periodisch, wiederkehrende, "öffentliche Gemeindeversammlungen und eben solche Synode."

[*Allgemeine Zeitung des Judenthums*, July 17, 1848, Vol. XII, p. 431.]

[6] AN DIE VEREHRLICHEN MITGLIEDER DER BISHERIGEN RABBINERVERSAMMLUNGEN.

. . . . Wir sind der Ansicht dass . . . . das Institut der Rabbinerversammlung nicht mehr als zeitgemäss zu betrachten sei; das Volk will und soll, auch in religiöser Beziehung seine Angelegenheiten in die eigene Hand nehmen . . . . Das Judenthum erwartet und fordert jetzt das Werk seiner Fort bildung von den Gemeinden selbst; sie müssen sich scharen und einen, damit das gemeinsame religiöse Band befestigt, der religiöse Geist des Judenthums von Neuem geweckt werde; und wir leben der Ueberzeugung, dass die Gemeinden, auf die gehörige Weise angeregt, aus ihrer theilweisen Erschlafftheit sich erheben, ihre Aufgabe erkennen, den hohen Beruf, für welchen sie, die Trägerinnen der ältesten, wahren Gotteserkenntniss, der Weltgeschichte verantwortlich sind, erfüllen werden. Wir erlauben uns daher, zunächst an Sie, geehrte Amtsbrüder, die Sie durch Ihr Erscheinen bei den bisherigen Rabbinerversammlungen Ihr lebhaftes Interesse für die Erhaltung und Fortbildung des Judenthums an den Tag gelegt, dann aber an alle unsere Herren Kollegen nahe und fern, denen die bedrohliche Lage unserer Religions-

1848.

LUDWIG PHILIPPSON'S PLAN OF A GENERAL GERMAN SYNOD.

(1) *A synod* composed not of rabbis, preachers, theologians and teachers but of Jews of whatever station or occupation.

(2) *A synod* so directly representative of the people that what really lives among them will find expression and confirmation.

(3) *A synod* whose guides and members are men of the people, be they rabbis or not.

(4) *A synod* which represents not one city, one province or state, but the whole of the German fatherland without excluding other countries which may desire to participate.

We are now living in a period not only of political but of spiritual freedom. Israel has entered upon a phase of its existence unlike any during the whole course of its history. We have ceased to be a nation among the nations and are purely a religious community. Religion alone unites us. Such conditions call for a synod. Such an assembly must express itself regarding the meaning of Judaism as it shows itself to-day in the consciousness of those who profess it. A synod must give its opinion as to the value and power of ceremonialism and also as to the reorganization of the cult. With

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gemeinde zu Herzen geht, die dringende Bitte, dass Sie in engeren und weiteren Kreisen, durch Wort und Schrift, mit uns dahin wirken wollen, das an die Stelle der Rabbinerversammlungen eine *Synode* trete, deren Mitglieder aus der unbeschränktesten, freien Wahl der Gemeinden hervorgegangen, den im Judenthume unbegründeten Unterschied zwischen Rabbinen und Laien nicht kennend, unter dem Beistande Gottes einen Geist hervorrufen werden, welcher als der gemeinsame Geist der Judenheit sich zu erkennen gebe und wirke. Wir in unseren Kreisen werden, nach getroffener Uebereinkunft mit den Männern von Einsicht und Einfluss, zu einer gemeinschaftlichen Berathung, wie eine Synode in kürzester Zeit in's Leben zu rufen sei, zusammentreten und über das Resultat seiner Zeit öffentliche Mittheilung machen. Wir ersuchen Sie, auch über Ihre Schritte durch die öffentlichen Organe möglichst schleunig berichten zu wollen.

DIE MITGLIEDER DES BISHERIGEN AUSSCHUSSES
FÜR DIE VIERTE RABBINERVERSAMMLUNG.
H. WAGNER, S. ADLER, A. ADLER, FORMSTECHER, STEIN.

WORMS, 24. Juli, 1848.

[From *Allgemeine Zeitung des Judenthums*, Aug. 7, 1848, p. 470.]

what purpose. So that religious life may be reinvigorated, that it follow new channels and become generally active. So that questions of religious life be taken out of the hands of quarreling thelogians and be solved by the people.[7]

[7] Auf einige Tage in Frankfurt anwesend, war es mir eine der ersten Aufgaben, mit den geschätzten Kollegen Stein und Formstecher (Offenbach), die Frage der Synode zu durchsprechen, und meine Meinung dahin darzulegen, dass eine allgemeine deutsche Synode das nothwendigste Bedürfniss der Jetzzeit, unumgänglich, zur thatkräftigsten Erwirkung empfohlen, sei. Die genannten Männer kamen mir mit derselben Ansicht entgegen, und händigten mir zugleich Behufs Abdrucks den unten folgenden Bericht und resp. Aufruf des bisherigen Komité's für eine vierte Rabbinerversammlung ein.

Also eine allgemeine deutsche Synode!

Eine Synode, die nicht aus Rabbinern, Predigern, Theologen, Lehrern besteht, sondern aus Juden, welchen Standes welcher Beschäftigung es sei.

Eine Synode, die so unmittelbar aus dem Volke hervorgeht, um das, was im Volke wahrhaft und wirklich lebt, zum Ausdruck und zur Feststellung zu bringen.

Eine Synode, deren Leiter also Volksmänner sind, seien sie Rabbiner, seien sie Nicht-Rabbiner, deren Mitglieder Volksmänner sind.

Eine Synode, die nicht eine Stadt, eine Provinz, ein Land repräsentirt, sondern das ganze deutsche Vaterland umschliesst, ohne selbst damit andere Länder, die sich ihr anschliessen wollen, auszuschliessen.

Wir haben damit wohl das ausgedrückt, was in Vieler Geiste lebt.

Die erste Frage lautet: warum?

Brauchen wir zur Beantwortung dieser Frage hinzudeuten auf die Zeiten, die gekommen sind? Auf die Zeit völliger Glaubens- und Gewissensfreiheit, auf die Zeit, wo aber auf der einen Seite das Aufgeben aller positiven Religionslehre, auf der andern Seite das starre Festhalten des Formwesens gleich wesentliche Gefahr droht, auf die Zeit, wo die momentane Noth im Verein mit religiösem Indifferentismus die Gemeindeverbände aufzulösen beginnt, auf die Zeit, wo Alles in Frage steht, aber auch Alles sofort eine Antwort haben will? Es kann gar nichts Dringlicheres sein, als dass in solcher Zeit das Volk selbst seine Stimme abgebe, was es meine und wolle. Woher soll denn sonst die Ueberzeugung kommen, dass "innen im schaffenden Marke" noch ein volles Leben pulsirt? Aus den leeren Gotteshäusern? Aus den zerfallenden Gemeinden? Nein, wie einst das Volk unter Josua versammelt ward und tagte, und die Frage beantwortete: wollet Ihr fernerhin dem Herrn dienen, und seine Lehre bekennen? Mit einem, bis zu uns noch herüberschallenden Ja! Ja! immerdar—so muss auch in einer solchen Zeit das Volk seine Stimme erheben und sprechen.

Wir sind eingetreten in eine Zeit der Freiheit, nicht blos der bürgerlichen,

1848.

PHILIPPSON'S ADDITIONAL REMARKS ON SYNOD.

In the immediate past, Judaism has been less active than any other existing human institution. No irresistible influence, no powerful activity has appealed to common interest. There has been a great deal of bickering, wrangling and abuse, but with scant

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sondern auch der geistigen Freiheit. Israel ist jetzt in eine Phase eingetreten, wie sie für dasselbe noch gar nicht da gewesen im ganzen Verlaufe seiner langen Geschichte, wo es aufgehört hat, völlig aufhören muss, ein Volk zu sein unter den Völkern, sondern lediglich eine Religionsgemeinde verbleiben kann, die eben nur in Religiösen ihr Gemeinsames und Vereinigendes hat. Nun, so muss eine solche Zeit begrüsst werden durch den Allgemeinen Zuruf: eine Solche sind wir, und nur eine Solche, und weiter Nichts, aber eine Solche wollen wir und unsere Söhne und Töchter verbleiben!

Aeusseres und Inneres drängen so zu einer Synode.

Wozu? die zweite Frage.

Eine Synode muss sich aussprechen über den Inhalt, den Lehrinhalt des Judenthums, wie er im Bewusstsein seiner heutigen Bekenner lebt; muss sich aussprechen über den Werth des Formwesens, ob dasselbe eine verpflichtende Kraft hat, wie weit dieselbe ginge oder nicht ginge; muss sich aussprechen über die Neugestaltung des Kultus; muss sich aussprechen über die Neugestaltung des Gemeindewesens. Was hiermit bewirkt werde? Dass das religiöse Leben neu erwache, in einen neuen Fluss gerathe, allgemein werde und sich bethätige; dass das religiöse Leben genommen werde aus den Händen streitender Theologaster und verlegt werde in die Herzen des Volkes, mitten hinein, wo es Herz und Geist wieder in Besitz nehme; dass die Freiheit auch in Israel zur Wahrheit werde, und aus dem Grusse dieser Freiheit, aus der Anerkennung dieser Freiheit eine neue Begeisterung geschöpft werde. Haltet Ihr dies für wenig, für entbehrlich?

Wie? die dritte Frage.

Nach meiner Ansicht muss die Synode bestehen aus, von den sämmtlichen Mitgliedern der Gemeinden nach einem gewissen Wahlmodus gewählten Abgeordneten, denen sich aber auch auf seine Kosten Jeder, der den Beruf in sich fühlt, anschliessen kann.

Dies die kurze Andeutung, die ich heute geben wollte. In Kurzem wird sich ein Komité zu Frankfurt am Main bilden, welches die weiteren Aufforderungen und Bestimmungen erlassen wird. Die gelegenste Zeit wird die gleich nach dem Sukkotfeste sein.

PHILIPPSON.

[From *Allgemeine Zeitung des Judenthums*, Aug. 7, 1848, pp. 469-470.]

result. In general, sluggishness, inertia and inflexibility have been the rule, due to the fact that the Jews have long been accustomed to passive resistance; to endure but not to fight; to defend but not to attack.

That reorganization in Judaism is necessary needs no proof. This has already been recognized and many attempts at it have been made. The public service has been beautified, the press has worked, and rabbinical conferences have been held. But all to no avail. All efforts at reorganization met the same fate. They were short-lived and made no impression on the masses. Why was this? The reason is plain. Because these movements did not get at the root of the trouble and especially because they did not originate from the people. The leaders did not recognize that the traditional legal code is religiously authoritative for the Jews of to-day. The rabbinical conferences did, it is true, regard this question as important but they did not concern themselves with the question as a whole. They debated about the Hebrew language, the Sabbath boundary and the unbiblical holidays.

Here it is that the Synod steps in. It is our belief that this vital problem of Judaism can be solved by a synod appointed by the people at large. If we are mistaken, an universal synod would, at any rate, give an impulse towards a united movement in Judaism, which in itself would be an important achievement. Therefore, all pains must be taken and all efforts made to bring a synod into being. Heads of communities, rabbis and teachers use all your strength for this end. Be not idlers in this cause; be not indifferent or unsympathetic.

Every Community should send delegates. None should consider itself too small. The task of the delegates sent to the synod will not and cannot be the making of decrees which shall have the power of law. The synod can only express the living conviction of the Jewish people and its power and efficacy will come from the truth of its dicta.[8]

[8] Man kann wohl mit Grund behaupten, dass in der ganzen jüngsten Vergangenheit . . . . unter allen bestehenden grösseren Instituten der Menschheit, die Judenheit die geringste Energie bethätigt hat. Es ist in derselben im grossen Ganzen keine mächtige Regsamkeit, keine ergreifende, hinreissende, Alle in

Bewegung setzende Thätigheit für das gemeinsame Interesse sichtbar geworden. Es gab viel Parteistreit, es wurde sehr viel geschrieben, viel geschimpft und gezankt—aber das schwamm Alles auf der Oberfläche, hatte zumeist eine lokale Begrenzung und brachte wenig Resultat. . . . .

Dies ist nun die Frage: wird es anders werden? wird jetzt, wo es überaus nothwendig ist, dass die Herzen und Geister ergriffen werden, um unter dem Flügelschlag einer neuen Zeit den alten Bau des Judenthums von Neuem zu begründen, dass sich auch auf ihm die neue Zeit lebendig aufzubauen vermöge, wird jetzt dergleichen vor sich gehen? Wird es jetzt gelingen, mehr als eine kurze, oberflächliche Erregung zu bewirken? Wird jetzt mehr daraus werden, als dass, um volksthümlich zu sprechen, Einige die Köpfe zusammenstecken, und, wenn sie sie wieder auseinander thun, Alles eben wieder vorüber ist?

Es gilt hier jetzt die Sache der Synode.

Eine aus dem Volke selbst herworgehende Synode ist die letzte Instanz, ist der letzte Versuch, eine Neugestaltung da hervorzubringen, wo sie nothwendig geworden, und wo alle anderen Versuche scheiterten, und zwar scheiterten, weil sie nur theilweise Versuche waren; sie ist eine Appellation an die Masse, um durch sie zu bewirken, was sonst Niemand bewirken konnte.

"Eine Neugestaltung, wo sie nothwendig geworden." Dass eine solche nothwendig geworden, brauchen wir nicht lange zu erweisen. Es sehe nur Jeder um sich herum, es sehe nur Jeder auf das aufwachsende Geschlecht, und die ihm eingepflanzte Richtung, es sehe nur Jeder darauf, ob das alte Judenthum mit Allem, was jetzt vorgeht, sich noch lange vereinbaren lasse—dann hat er sich selbst die Antwort gegeben. Zu dieser Neugestaltung wurden viele Versuche gemacht, man verschönte den Kultus, die Presse arbeitete, Rabbinerversammlungen wurden abgehalten. Alle diese Versuche haben denselben Erfolg gehabt—nach kurzem Leben starben sie ab, sie drangen wenig in die Masse ein, sie überwältigten dieselbe nicht, einige Athemzüge und es war wieder vorbei.

Man frägt: warum? Sehr einfach, weil die Bewegung nicht aus der Masse selbst hervorging, und weil sie eben überall nur ein theilweises Uebertünchen einiger wunden Flecken waren, nicht aber auf den Kern der ganzen Frage eingingen.

Dieser Kern der ganzen Frage im heutigen Judenthum ist offenbar: hat das Formgesetz für die gegenwärtigen Bekenner des Judenthums noch religiös verpflichtende Kraft oder nicht?

Es hilft wahrlich Nichts mehr, um den Brei herumzugehen, ohne ihn zu berühren, weil man sich die Finger daran verbrennen könne. Es gilt endlich einmal die Wahrheit unumwunden auszusprechen. Die Rabbinerversammlungen fühlten wohl auch, dass dies die Lebensfrage sei—aber sie nahmen nur immer ein Stückchen vor, statt die ganze Frage. Sie debatirten über die Verpflichtung zur hebraischen Gebetsprache, über die Verpflichtung zur Sabbatgrenze, zu den unbiblischen Festtagen, und so weiter. Aber diese Brocken

konnten eben die Sache nicht zu irgend einer Entscheidung bringen. Das Leben stand an der Pforte und klopfte mit der Frage an: hat das ganze Formgesetz noch religiös verpflichtende Kraft oder nicht? aber sie wiesen es mit der Frage ab, und suchten es mit kleinen Schnittchen zu sättigen. Da wollte es denn zuletzt Nichts mehr davon wissen. Als nun gar die Rabbinerversammlung unter Geiger's Leitung diese Frage nicht einmal in der Verhandlung über den Sabbat zulassen wollte, war jene von selbst todt.

Also dies ist die Frage, dies ist die ganze Frage, und eine Entscheidung über diese Frage kann und soll von einer Synode, die aus allen Theilen der Masse zusammengesetzt ist, getroffen werden. Indem im Leben ein sehr grosser Theil der Juden, namentlich der Jugend, das ganze Formgesetz verlassen hat und sich höchstens nach Belieben bald dieses, bald jenes Stück bewahrt; indem andrerseits ein grosser Theil der Juden, namentlich der an Jahren älteren, das Formgesetz in seinem ganzen Umfange noch festhält—ist es eben die Lebensfrage: ob das Formgesetz religiös verpflichtende Kraft habe oder nicht?

Also die Synode. Wir sagten, dass diese die letzte Instanz, der letzte Versuch sei, in und aus der Gesammtheit eine Antwort für die Frage zu erlangen, und das Leben der Gesammtheit nach einer bestimmten Richtung zu konzentriren und zu bewegen. Würde die Synode nicht zu Stande, bei wiederholten Versuchen nicht zu Stande kommen, oder würde sie zu keinem Resultate führen—dann müsste man die Sache sich gänzlich allein überlassen, und ruhig zusehen, was daraus würde, was in der allgemeinen Gährung der Zeit sich daraus von selbst gestatte.

Allerdings würde eine erste allgemeine Synode zunächst erst den Anstoss geben für die gesammte Bewegung damit wäre aber auch schon eine Hauptsache gewonnen. Es muss daher Alles aufgewendet werden, alle Anstrengung gemacht werden, um eine Synode zu Stande zu bringen. Gemeindevorsteher, Rabbiner, Lehrer, hierfür setzt alle Eure Kraft, alle Eure Bemühung ein! Lasset Euch hierin nicht als müssige Männer betreffen, hüllet Euch hier nicht in den Mantel der Gleichgiltigkeit oder der Theilnahmlosigkeit ein, Ihr, Rabbiner, spielet nicht wieder die auf zweien Seiten Hinkenden, die erst den Erfolg abwarten wollen—es würde der Tag der Abrechnung Euch nicht allzufern liegen, und Euere zerfallenen Stühle würden Euch bald auf die eigenen Füsse stellen.

Die Frage: wie eine solche Synode zusammenzusetzen sei? haben wir in der vorigen Nummer schon zu beantworten gesucht. Unsere Leser wissen, dass wir in religiösen Dingen keine Vertretung anerkennen, es kann eben die religiöse Ueberzeugung des Individuums nicht durch einen Dritten vertreten werden. Aber es handelt sich zunächst an der Vertretung der Theilnahme, und darum muss die Synode zunächst aus Vertretern der einzelnen Landschaften, Kreise, Gemeinden bestehen. Wer vertreten sein soll? Jede Gemeinde, die sich vertreten lassen will, sei sie gross sei sie klein. Jeder Vertreter, der hingeschickt wird, ist eben nur Vertreter der Theilnahme, der Betheiligung an der

UNIVERSITY OF CALIFORNIA

1848.

ISAAC M. WISE'S CALL.

To the Ministers and Other Israelites:

To my brother Israelites in North America, I call in the name of my God, חזק ונתחזק בעד עמנו "Be firm, and let us strengthen each other in behalf of our people." The Rev. Editor of this periodical has granted me the favor to give publicity to my views about the association of Israelitish congregations in North America, to produce one grand and sublime end—to defend and maintain our sacred faith, to the glory of God and for the benefit of Israel and all mankind.

Brethren! though I am a stranger among you, unknown and unimportant; though I am aware that there are men among you much better than myself, קטנם עבה ממתני "whose little finger is thicker than my loins;" though my years are but few in numbers and among you are men gray-haired and highly experienced, notwithstanding all this, I make use of the Rev. Editor's permission to express publicly my views on this important subject, because I think with Elihu, son of Borachel, the Buzite of old, אכן רוח היא באנוש ונשמת שדי תבינם "Verily it is the will in man" (that renders him able to speak and act), "it is the spirit of the Almighty that gives understanding to

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Synode. Man wähle daher lieber den Namen Abgeordneter. Jede Gemeinde sende einen Abgeordneten zur Synode, einen Abgeordneten, der die Gemeinde eben nur als an der Synode betheiligt vertritt. Es glaube keine Gemeinde sich zu klein, um einen Abgeordneten zu senden. Es werden doch schon genug Gemeinden sein, die keinen Abgeordneten senden. Es halte also keine Gemeinde dafür, dass es ihrerseits einerlei sei, einen Abgeordneten zu senden.

Die Synode wird also zunächst aus den Abgeordneten der jüdischen Gemeinden bestehen. Dann aber halten wir dafür, dass auch Jedem, der in sich den Beruf fühlt, der Zutritt zu Synode gestattet sei. Die Synode hat nicht, kann nicht die Aufgabe haben, Beschlüsse zu fassen, die Gesetzeskraft hätten; sondern: das im Bewusstsein der jüdischen Glaubensgenossenschaft Lebende auszusprechen. Kraft und Giltigkeit wird dies dann eben dadurch erlangen, dass in diesem Ausspruch die Wahrheit liegt, die wirkliche Ueberzeugung grosser Theile der Judenheit. Darum kann es bei der Synode nicht auf ängstliche Zählung berechtiger Stimmen ankommen, sondern auf möglich grössten Zufluss Aller, die Herz und Geist fur unsre heilige Sache haben.

[From *Allgemeine Zeitung des Judenthums*, Aug. 14, 1848, pp. 481-483. See also *ibid.*, Dec. 4, 1848, No. 50, pp. 711-714.]

them" (who have a good will devoted to God and virtue), or if I shall express the same idea in a Talmudic form of speech, I may say I trust בסייעתא דשמיא "in the help of heaven."

It is one of the holy demands of our religion, ללכת בדרכיו to walk in the ways of God. God is a unity, ה' אחד wherefore all mankind will one day be united for one great end—to worship in truth the Most High, to adore His holy name, with humility and purity. Then will also be fulfilled ושמו אחד that God's name will be one. To bring about this sublime unity, God has selected the people of Israel from among all nations, to be the bearers of divine truth, and to diffuse the bright light of religion among mankind. Wherefore we may justly say, our cause is the cause of mankind, our elevation and success are the elevation and success of the human family, our fall is also the fall of all society; since everyone must admit the fact that true religion is the basis of civilization.

There is perhaps not a single Israelite among my readers who is not fully inspired with the inclination to share in the mission of his ancient people, as the voice of God called to each individual of Israel, without exception of either sex, or age, or spiritual abilities: "But you shall be unto me a kingdom of priests." Now in order to fulfil our sacred mission, to send our important message to mankind, it behooves us to be united as one man; to be linked together by the ties of equal views concerning religious questions—by uniformity in our sacred customs, in our form of worship, and religious education. We ought to have a uniform system for our schools, synagogues, benevolent societies—for all our religious institutions. This we need to have throughout the world, if we are to be considered as the same descendants of Israel, the same disciples of Mosheh—if we are truly to fulfil our sacred mission. Our fathers, while living in the Holy Land, were commanded to appear three times every year at the place selected by God himself. This commandment had not for its sole object the prescribed sacrifices, but chiefly it was calculated to uphold a friendly union—a religious uniformity among all Israelites.

Let us now direct our attention to the country where we live, and the circumstances in which we are placed. The majority of our congregations in this country have been established but a few years

back; they are generally composed of the most negative elements from all the different parts of Europe and elsewhere; they have been founded and are now governed for the greater part by men of no considerable knowledge of our religion, and generally of no particular zeal for our common cause. The consequence of all this is, that many congregations have no solid basis, no particular stimulants to urge on the youth to a religious life, and no nourishment for the spiritual Israelite. This naturally produces an enormous amount of indifference, and each congregation pursues its own way, has its own customs and mode of worship, its own way of thinking about religious questions, from which cause it then results that one Jew is a stranger in the synagogue of the other Jew. It is a pity to observe that any man who is so happy as to have a license (קבלה) to kill from some unknown person, can become the minister of a congregation, and the teacher of the youth, without any proof of his knowledge of religion, and in the absence of any evidence of his conduct as a Jew. I will be silent about what is called שאלת חכם — I will be silent about the דין, though our wise men teach כל מי שאינו בקי בטיב גיטין וקדושין אל יתעסק עמהם "Whoever is not thoroughly acquainted with divorces and marriages, shall not have anything to do with them." I will be silent about the whole casuistic theology, and ask only the community at large: "What will become of our synagogues?—what of our youth?" You see we have no system for our worship, nor for our ministry and schools, and we are therefore divided in as many fragments as there are congregations in North America. It is lamentable, but true, that if we do not unite ourselves betimes to devise a practicable system for the ministry and religious education at large; if we do not take care that better educated men fill the pulpit and the schoolmaster's chair; if we do not stimulate all the congregations to establish good schools, and to institute a reform in their synagogues on modern Jewish principles, the house of the Lord will be desolate, or nearly so, in less than ten years, and the zeal of the different Christian missionaries will be sufficient to make among us a large number of unprincipled infidels. It needs no prophetic spirit to read this horrible future in the present circumstances. I lay down these lines before the throne of history as a solemn protest against the spirit of separate action and of in-

differentism which has taken hold on so many noble minds of our brethren, and I proclaim before the whole world, before the present and future, my sincere conviction that now something must be done to defend and maintain our sacred faith. Nor is it too late; everything can be done if we are all united before God.

But who are the men that shall lay the corner-stone to this reunion? Are not the ministers of Israel those who must take the first step? Is not the spiritual welfare of Israel entrusted into their hands? Are they not responsible for it, if coming generations should be corrupted through their neglect? Are not included in this class the pious laymen who sigh over the downfall of the ancient customs and forms, without the establishment of the modern ones? Shall we not include those learned laymen who mourn to see how some people in their ignorance sanctify the profane, but profane the holy? Yea, it is the duty of all those to unite themselves, and work for the reunion of all the congregations. I call on you in the name of our God: "Be firm and strengthen yourselves for the sake of our people." Arise, ye men of piety and wisdom, ye shepherds, ye fathers of Israel, let us all meet אִישׁ לֹא נֶעְדָּר; let us first take counsel what should be done, and how it must be done; let us amicably consider what we ought to do as men and Israelites for the spiritual welfare of the present and coming generations; let us earnestly deliberate on a plan to unite all Jews to defend and maintain their sacred religion for the promotion of the glory of God and the bliss of Israel! I call upon all my honored friends, both ministers and laymen, and all who have an interest in the promulgation of God's law: come, let us be assembled in order to become united! Exercise all your influence on your friends and acquaintances, to bring together all men of zeal and piety, of wisdom and knowledge, to consider what should be done for the union, welfare and progress of Israel. . . . . And may God, the great Father of all, unite and bless the house of Israel! May He enlighten all men with the shining light of truth, be gracious to all that seek Him, and merciful to all that have forsaken Him. Amen.

ISAAC WISE, D. D.,
Rabbi of Albany.

ALBANY, 9th day of Marcheshvan, 5609. A. M.

[From "*The Occident*," Dec. 1848, pp. 431-435.]

PHILIPPSON, A YEAR LATER (1849).

A synod must be established. Sufficient matter will present itself for its consideration. Its principal work will be the formulating of the general truths of Judaism. The function of the synod will be the same as that of the old Synhedrin. At a time when the world shows its teeth to the Jews we must have settled and fixed principles by which to be guided, not only for the present but for the future. Judaism must be protected against those disturbing elements which are arrayed against it.

Its work will be largely dogmatic. This is apt to frighten people. True, many imagine that Judaism has no dogmas. This, however, is a fallacy; as soon as the philosophical spirit entered Judaism, dogmatism entered it, as witness the systems of Saadia, Maimonides, Albo, etc. It may, however, be said, "Dogmatism is a fettering of the spirit." True; but since we have cast aside all restraint as regards form, we must nevertheless retain some restricting element. Without this no community can exist. As soon as this restricting element becomes burdensome it can be cast off. This is the work of the synod. Therefore it is a necessity, and it will come to pass if not this year, the next year or some following year. That does not signify. Only if our premises were wrong would our conclusions be false.[9]

[9] DIE SYNODE UND DIE GEGENWART.

. . . . Aber eine Synode muss zu Stande Gebracht werden. Sie wird mancherlei zu thun haben, das Hauptwerk wird sein; die Hauptprinzipien des Judenthums, so fest diese auch an sich sind, feierlich zu verkünden, um der kommenden Zeit die Parole zu geben, um die sie sich zu schaaren. Die Synode hat jetzt dasselbe Werk zu vollbringen, was unsere Väter in den nächsten Jahrhunderten nach der Zerstörung Jerusalems, das Synedrion zu Tiberias, vollbrachte, das Judenthum irgendwie fester zu gestalten für die Zeit, die da kommt, gegen die Auflösenden Elemente, die auf dasselbe losstürmen werden. Damals bedurfte es der Jahrhunderte, um es zu konsolidiren, warum sollte es nicht jetzt der Jahrzehende bedürfen? Und all die Versuche, die bis jetzt gemacht worden sind, sind Vorbereitungen, die allmälig zu einem bestimmten Ziele führen. Wir sind durchaus nicht besorgt. Grade je mehr auf religiösem Gebiete das äusserste Extrem sein Haupt erhebt, desto eher werden sich im Kampfe die Streiter für die Religion Israels zusammenfinden, desto eher die Massen sich wieder um sie schaaren. . . . .

In einer Zeit, wo eine Welt sich feindlich gegenüberstellt, da muss eine Masse, wie die Juden sind, ein Bestimmtes, genau Artikulirtes haben, an und

in dem sie leben kann. Ein solches Werk muss auch das Judenthum für die kommende Zeit haben, um an und in ihm, selbst den feindlichsten Elementen gegenüber, bestehen zu können. Und das soll ihm die Synode—nicht in einem, nicht in Zwei Jahren, in Jahrzehenden schaffen. Darf man einen Vorausblick wagen, so wird ein solches Werk für die Zukunft insonders ein dogmatisches sein. Man erschrecke nicht davor. Man hat sich immer etwas gewusst, dass das Judenthum keine Dogmatik habe. Verstand man dies so, dass die Dogmen des Judenthums nicht genau durchgearbeitet, nicht sorgfältig artikulirt und gegliedert waren, so hatte man Recht. Aber wozu auch eine Dogmatik in einer Zeit, die sich um die Lehre gar nicht kümmerte, sondern der allein das Formgesetz Wichtigkeit hatte? Meinte man aber, dass das Judenthum gar keine Dogmen habe, so war dies nur eine Selbsttäuschung, welche die neuere Kritik, die Pantheistische Philosophie hinlänglich aufgedeckt hat. Sobald der philosophische Geist im Judenthume sich Luft machte, war auch die Dogmatik da, Saadias, Maimonides, Albo, u. s. w. sind Zeugen; man dachte sofort sogar an genau gegliederte Glaubens bekenntnisse, Ueberhaupt die prinzipielle Durcharbeitung einer Lehre—mögen die Resultate sein, welche sie wollen—ist Dogmatik. Wie die Aufgabe des Prophetismus die Belebung der mosaischen Lehre und des mosaischen Sittengesetzes in ihren Allgemeinen Parteien war, die Aufgabe des Talmudismus die Durcharbeitung und Feststellung der Lebensformen, die Aufgabe des Rabbinismus die Aufrecht-haltung der Autorität des Gegebenen; so kann nur die wahre und wesentliche Aufgabe des zukünftigen Werkes, also der Synodalbestrebungen die Dogmatik sein. Dafür spricht der Geist der Zeit, dafür die Natur des Kampfes, für den das Werk geschaffen wird, und der im kultuslosen, geistigen Heidenthume sein Element hat. Abermals wird man erschrecken: ist Dogmatik nicht Fessel des Geistes? Haben wir nicht eben die Fessel der Form gebrochen, oder sind noch darin begriffen, und wir sollen uns eine neue Fessel auflegen? Nun, etwas Fessel, etwas Fesselndes muss jede Gemeinsamkeit haben, denn ohne jenes kann diese gar nicht bestehen. Alles Gemeinsame ist das, worin die Individualitäten aufgehen, dem sich die Individualitäten hingeben. Insonders aber muss allerdings eine Sturmzeit auf einen Wall, einen Damm, eine Mauer treffen, und die sich bergen hinter der Mauer müssen den Schutz mit dem Opfer von etwas freier Aussicht erkaufen. Kommt die Zeit, wo das Bindende eben eine Fessel, ein Joch, eine Bürde wird, da fehlt es an der Kraft, ihrer ledig zu werden, niemals, und noch keine Mauer, kein Zaum (סיג) widerstand dem Andrang von innen, wenn er auch Jahrtausende dem Andrang von Aussen widerstand.

Dies ist das Werk, die Aufgabe der Synode. Daraus geht ihre Nothwendigkeit hervor. Darum wird sie auch zu Stande kommen. Wenn nicht in diesem, doch im nächsten Jahre. Wenn nicht im nächsten doch im nachnächsten, oder einem der folgenden. Das macht Nichts aus. Nur wenn unsere Voraussetzungen (Prämissen) irrig wären würde unsere Folgerung falsch sein.

[*Allgemeine Zeitung des Judenthums,* June 11, 1849, No. 24, pp. 313-316.]

CALL FOR SYNOD BY DR. JACOB AUERBACH, LEOPOLD BEER, DR. FORMSTECHER, MOSES B. GOLDSMIDTH, DR. J. M. JOST, LOUIS LOTMAR, RABBI LEOPOLD STEIN, DR. JACOB WEIL IN 1849.

To the Jewish Religious Communities of Germany:

The thought has taken root in Judaism, that coöperation, organization and concentration shall take place within and between the various communities, so that the integrity of the communities may be maintained, that religious progress may be furthered and that our faith may be guarded. Thus, without infringing upon any one's individual rights, religion would obtain a new lease of life, communal affairs would be regulated, divine services would be held in accordance with the times, and the self-consciousness of the Jewish religious community would receive a new impulse. The people who now have a voice in their own government should and will assert their rights in religious affairs. Consequently, in order to bring about the above-mentioned results, an assembly for this purpose must not be composed entirely of rabbis and preachers. Guided by these thoughts, a number of men gathered together on August 31 of last year at Frankfurt-on-the-Main to appoint a committee to arrange for a general Jewish synod. They decided to issue invitations to individuals and communities to coöperate in bringing about a preliminary meeting. This meeting was held on the 23d and 24th of October of last year and consisted of 68 members among whom were rabbis, preachers, heads of congregations and professional men. The proceedings were brought to a close in three sessions, during which matters were discussed with a printed outline as a basis, from which the conference picked out the most important points.

The results of the proceedings were intrusted to the undersigned committee, which was to issue an appeal to the Jewish communities. The reason that this has not already been done is partly on account of the delayed re-reading and partly because the fundamental laws, which contain the basic rights for all classes of German people, including the Jews, have not yet been completely introduced. We are of the opinion that as long as these new provisions have not yet obtained full sway everywhere, as the relations between the State and the individual religious communities are not sufficiently clear,

and as the Israelites of the different parts of Germany cannot attain a clear idea of the claims and needs of the religious communities, the calling of a synod at present would not lead to the desired end.

In order, however, that the connecting link between the preliminary meeting and the synod to be called later may not be weakened and in order to keep alive the interest in synodal concerns, we, therefore, announce to the Jewish communities the following declarations and resolutions of the preliminary conference, on the basis of which the synod is to be convened.

I. The purpose for convening a synod was unanimously recognized by the conference.

II. Concerning the conception of the synod, the following was confirmed by a large majority. The synod is a central organization chosen by the congregations and associations. At legally appointed sessions, the synod is to deliberate upon religious and communal questions which concern Jews as a whole as well as the bodies represented. The synod is to regulate these questions by decrees.

In order to avoid misunderstanding, the conference empowered us to add the following explanation, namely that the words "und durch Beschlüsse ordnet" (regulate matters by decrees) mean only that the synod is to put its declarations in the form of decrees which, however, are not to have any binding force. It is only the esteem and moral weight of the synod that are to influence the congregations. They are to accept voluntarily the synod's declarations and by carrying them out into practice give them force.

Likewise, it is incumbent upon us to explain the word "Genossenschaften" as it is used in the report of the conference. By this is not meant brotherhoods or such religious societies as are formed within the communities to perform certain religious practices or labors of love. What is meant is independent, religious societies legally constituted, which regulate their affairs in a manner not in accordance with that of the communities as a whole.

III. As regards the character of the synod, the conference, by an overwhelming majority, declared as follows: The synod shall be called as a representative body of Israel.

This decision, according to the previous discussions is to be understood as follows: The synod is not to be convened as repre-

sentative of a specific tendency in Judaism but of Judaism as a whole and in the assembly, it is hoped, all views will find expression.

IV. As regards the choosing of delegates to the synod, the following was decided:

(a) Every Israelite, who is of age, is entitled to vote in the congregation to which he belongs.

(b) Every Jewish religious congregation or religious organization is entitled to send one representative to the synod. Congregations containing over one hundred, who are elligible to vote, have the right to send one additional representative for every additional hundred.

(c) The voting is to take place under the supervision of the board of directors or of a committee.

(d) Any reputable Jew, who is of age, is eligible as a delegate.

It may be explained in addition, that a number of communities, especially small ones, may unite to choose a representative in common. The delegate chosen must not of necessity be a member of the community which elects him; he may be chosen from any Jewish community.

We must also remark that the word "selbständig" (independent) was, in the original plan, used in connection with remarks (a) and (d). But as in the opinion of one member, the interpretation of this word might cause strife and confusion in the communities, the president decided and the conference agreed that such details be left to the committee. We thought it proper to leave out this word entirely.

V. Concerning the time and place for holding the synod, the following was agreed upon:

(a) The first synod is to be held in the spring of 1849. The time for the holding of subsequent synods is to be decided by the preceding synod.

(b) The synod shall last fourteen days.

(c) The first synod is to be held at Frankfurt-on-the-Main, the place for subsequent meeting to be decided by the synod itself.

VI. As regards the expenses the following was decided upon:

(a) The expenses of each delegate are to be paid by the body sending him.

(b) The expenses of the synod are to be met by voluntary contributions.

We reserve the right for ourselves to make appeals in accordance with remark (b), for the creation of a synodal fund. We will only note here that several communities have voluntarily offered contributions. If individuals in the various communities would feel themselves invited to take signatures for future contributions, when the proper moment will arrive, matters would be greatly expedited.

VII. The conference finally decided to appoint a standing committee for the first general synod and the undersigned were named as such.

Upon this committee the conference enjoined the duty of making all preparations for the coming synod. As soon as the proper moment comes, we will joyfully and with devotion to the good cause, undertake those duties and we will take care to convene the synod at the most opportune time.

Our opinion of the matter has not changed. To-day, as formerly, we recognize the pressing need of a free but yet united synodal organization. Only in order to create such an institution with greater assurance of success, are we of the opinion that it should not be organized amidst such conditions as will make it impossible for so many communities of the German fatherland to share in the common task. Meanwhile we shall be looking forward to the expressions of opinion, either in public or by direct communications, of those who have been assembled here as well as of everyone who feels a warm interest in the maintenance of Jewish communal life. May the matter be discussed as much as possible, agitated in the congregations and the district assemblies, so that the needs, desires and views may become known. Thus will we be able to decide what must be done in this weighty matter.[10]

FRANKFURT-AM-MAIN, Feb., 1849.

[10] AN DIE ISRAELITISCHEN RELIGIONSGEMEINDEN IN DEUTSCHLAND.

Es hat in neuerer Zeit in unserer Mitte mehr und mehr der Gedanke Wurzel gefasst, wie nothwendig auf dem Gebiete des Judenthums, zur Erhaltung der Gemeinden, zur Förderung des religiösen Fortschrittes zur Bewahrung

des Glaubens, ein möglichst einheitliches Zusammenwirken in und zwischen den Gemeinden, ein organisirendes Verfassungswesen und insbesondere ein geeigneter Zentralpunkt erscheine, von welchem aus, ohne der Freiheit der Einzelnen zu nahe zu treten, das religiöse Leben seine Erfrischung, das Gemeindeleben seine Ordnung, der Gottesdienst seine zeitgemässe Gestaltung und das Selbstbewusstsein der israelitischen Religionsgesellschaft einen neuen Aufschwung erhalten möge. Dass dieses nun nicht mehr durch eine blos aus Rabbinen und Predigern zusammengesetzte Versammlung bewirkt werden könne, indem der zur Herrschaft gelangte Volks- und Gemeindewille auch auf religiösem Gebiete sich geltend machen will und soll, ist ebenso gewiss und unzweifelhaft, als auf der andern Seite vorzüglich in der Gegenwart, der mächtigen Zeitbewegung und der neuerrungenen Religionsfreiheit gegenüber, die Nothwendigkeit sich um so dringender herausstellt, auf Mittel zu sinnen, wie nach den Grundsätzen der Freiheit und Gerechtigkeit die verschiedenen religiösen Richtungen, innerhalb desselben Gemeindeverbandes, nebeneinander bestehen und ihren Bedürfnissen Rechnung getragen werden könne. Von diesen Gedanken geleitet, hatten sich am 31. August zu Frankfurt am Main mehrere Männer zur Bildung eines Komité's zur Vorbereitung einer allgemeinen israelitischen Synode vereinigt, und beschlossen, zu diesem Behufe durch eine sowohl an einzelne Männer besonders, als öffentliche an die Gemeinden zu richtende Einladung eine vorberathende Synodeversammlung in genannter Stadt zu veranstalten. Diese Versammlung wurde am 23. und 24. Oktober v. J. abgehalten, und es haben sich an derselben mehrere Mitglieder aus verschiedenen israelitischen Oberräthen, Rabbinen, Prediger, viele Gemeindevorsteher, Gelehrte verschiedenen Faches, in Ganzen 68 israelitische Männer aus der Nähe und Ferne, betheiligt. Die Verhandlungen wurden in drei Sitzungen zu Ende gebracht und auf Grund einer gedruckten Vorlage gepflogen, aus welcher sich die Versammlung die ihr dringlichst scheinenden Punkte durch Berathung und Beschlussnahme aneignete.

Das Ergebniss der Verhandlungen wurde der unterfertigte Ausschuss beauftragt, den israelitischen Gemeinden in einer Ansprache mitzutheilen, und wenn dieses bisher nicht geschehen ist, so wolle man den Grund hierzu in keinen andern Umständen suchen, als theils in der verzögerten zweiten Lesung, theils in der zur Zeit noch vollständig bewirkten Einführung der deutschen Grundrechte, in welchen der neue Rechtsboden für alle Zustände des deutschen Volkes, also auch für die jüdisch-religiösen, gegeben ist. Wir sind nämlich der Ansicht, dass so lange diese so tief in alle bestehenden Verhältnisse eingreifenden neuen Bestimmungen nicht überall volle Rechtskraft erhalten haben, somit auch das Verhältniss des Staates zu den einzelnen Religiösensgesellschaften nicht in der nöthigen Klarheit hervortritt, auch die Israeliten der verschiedenen Landestheile Deutschlands nicht zur klaren Einsicht ihrer Ausprüche und Bedürfnisse auf dem Gebiete der Religionsgemeinde gelangen können, und deshalb die Berufung einer Synode im jetztigen Zeitpunkte wohl nicht zu dem erwünschten Ziele führen möchte.

Um jedoch das Band zwischen der vorberathenden Synodalversammlung

und der später zu berufenden Synode nicht zu schwächen und das Interesse an der Synodalangelegenheit lebendig zu erhalten, theilen wir hierdurch den israelitischen Gemeinden folgende Erklärungen und Beschlüsse der Vorversammlung mit, auf deren Grunde die Synode später zusammentreten soll, unter Beifügung der nothwendig scheinenden, den Protokollen entnommenen Motive und Erläuterungen:

(1) *Die Zweckmässigkeit einer zu berufenden Synode wurde von der Versammlung einstimmig anerkannt.*

(2) Ueber den *Begriff der Synode* wurde mit grosser Mehrheit Folgendes festgestellt: Die israelitische Synode ist ein von den Gemeinden und Genossenschaften selbstgewähltes Gesammtorgan, welches die dabei betheiligten Gemeinden und Genossenschaften vertritt und in gesetzlich geordneten periodischen Sitzungen die Angelegenheiten des gesammten israelitischen Religions- und Gemeindewesens, so wie die der vertretenen Gesammtheiten Berathung nimmt und durch Beschlüsse ordnet.

Die Versammlung hat uns beauftragt, zur Verhütung von Missverständnissen, die Erklärung beizufügen, dass die Worte "und durch Beschlüsse ordnet" lediglich den Sinn haben, dass die Synode ihre Erklärungen in der Form von Beschlüssen giebt, ohne dass dadurch irgend ein bindender Zwang entstehen soll. Es ist nur das Ansehen und das moralische Gewicht der Synode, was die Gemeinden bewegen soll, sich freiwillig ihren Erklärungen anzuschliessen und durch praktische Ausführung ihren Beschlüssen Kraft und Nachdruck zu verleihen.

Ebenso haben wir im Auftrage der Versammlung den Ausdruck "Genossenschaften" dahin zu erklären, dass unter diesem Worte keineswegs Brüderschaften, d. h. solche religiöse Vereine zu verstehen seien, die innerhalb der Gemeinde zu gewissen religiösen Uebungen oder Liebeswerken sich vereinigt, sondern selbständige religiöse Vereine, welche sich statutenmässig und zu dem Zwecke konstituirt haben, ihre religiösen Angelegenheiten in einer Weise zu ordnen, die von der in den betreffenden Gemeinden vorherrschenden Richtung abweicht.

(3) Ueber den *Charakter der Synode* hat die Versammlung mit überwiegender Majorität sich dahin ausgesprochen: die Synode soll als ein Gesammtorgan der Israeliten berufen werden.

Dieser Beschluss ist, gemäss den vorhergegangenen Verhandlungen, dahin zu verstehen, dass die Synode nicht als die Vertreterin einer einzelnen Richtung im Judenthume, sondern als eine allgemeine, auf welcher es höchst wünschenswerth erscheint, dass alle Ansichten ihre Vertretung finden, berufen werden möge.

(4) Ueber die *Wahl zur Synode* wurde folgendes beschlossen:

(a) Wahlberechtigt ist jeder volljährige Israelit in der Gemeinde, welcher er angehört;

(b) Jede israelitische Religionsgemeinde oder Religionsgenossenschaft ist berechtigt, einen Stellvertreter zur Synode zu schicken. Gemeinden von über

hundert Wahlberechtigten haben das Recht, für je hundert Wähler mehr je einen Vertreter mehr zu senden;

(c) Die Wahlen geschehen unter Aufsicht der Vorstände, oder eines Komité's.

(d) Wählbar ist jeder unbescholtene, volljährige Israelit.

Hier fügen wir die erläuternde Bemerkung bei, dass mehrere, insbesondere kleinere Gemeinden sich vereinigen können, um einen Vertreter gemeinsam zu wählen; ferner, dass der zu erwählende Vertreter nicht Mitglied der betreffenden Gemeinde oder Gemeinden sein müsse, sondern auch aus jeder andern israelitischen Gemeinde gewählt werden könne.

Auch müssen wir bemerken, dass bei den Punkten (a) und (d) in der Vorlage sich das Wort "selbstständig" befunden hatte. Auf die Bemerkung eines Mitgliedes, jedoch, dass die Aufnahme dieses Wortes in den Gemeinden Streit und Verwirrung herbeiführen würde, schlug der Präsident vor, und die Versammlung stimmte bei, hierüber das Nähere der Redaktionskommission zu überlassen. Wir hielten es nun für geeignet, jenes Wort gänzlich wegzulassen.

(5) Ueber *Zeit und Ort der Synode* wurde beschlossen:

(a) Die Zeit der Synode ist für die zuerst zu berufende das Frühjahr 1849. Die Zeit der folgenden Synode bestimmt immer die vorhergehende selbst.

(b) Die Dauer der Synode ist vierzehn Tage.

(c) Der Ort der Synode ist für die zuerst zu berufende Frankfurt am Main; später immer von der Synode selbst zu bestimmen.

In Betreff des Beschlusses (a) beziehen wir uns auf die Eingangs erwähnten Umstände, welche es rathsam erscheinen lassen, für die Berufung der Synode den geeignetern Zeitpunkt abzuwarten.

(6) Ueber den *Kostenpunkt* wurde Folgendes beschlossen:

(a) Die Kosten des Synodalbesuches bestreitet jede Wahlgesammtheit für ihren Vertreter;

(b) Die Kosten der Synode werden durch freiwillige Beiträge aufgebracht.

Wir behalten es uns für die später zu erlassende Ansprache vor, auf den Beschluss (b) resp. Bildung einer Synodalkasse zurückzukommen, und wollen hier nur bemerken, dass uns bereits von einigen Gemeinden unaufgefordert Geldbeiträge angeboten worden sind. Würden sich nun in verschiedenen Gemeinden einzelne Männer jetzt schon aufgefordert fühlen, Listen zu entwerfen und Einzeichnungen von eventuellen Beiträgen zu veranlassen, so würde das, wenn der rechte Moment erscheint, der Sache gewiss höchst förderlich werden.

(7) Die Versammlung hat endlich beschlossen, einen ständigen Ausschuss an hiesigem Orte für die erste allgemeine israelitische Synode zu ernennen, und hat dazu die Unterzeichneten erwählt.

Diesem Ausschusse hat die Versammlung die Verpflichtung auferlegt, alle Vorarbeiten für die zu berufende Synode zu übernehmen. Wir werden uns nun, sobald der rechte Zeitpunkt eingetreten sein wird, mit Freude und mit

WISE ON SYNOD, 1856.

Let us, first, repeat the premises, from which we start in our reasoning on this subject. There can be no Judaism without the observation of the biblical laws. None has a right to dispense with them. The biblical laws are impracticable unless they are expounded. The Jewish standard of exegesis in regard to biblical laws, and the precedents guiding us in our decisions are in the Talmud, the historical development of the Law without which we not only depart from the historical basis of Judaism, and must eventually be dissolved into diverging sects, but are also without any safe guide in our biblical researches. The Talmud contains deci-

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aller Hingebung für die gute Sache jenen Arbeiten unterziehen, und den Moment nicht vorübergehen lassen, welcher zur Hervorrufung der Synode geeignet erscheint. Unsere Ansicht von der Sache hat sich nicht geändert. Heute wie früher erkennen wir für das Judenthum das dringende Zeitbedürfniss einer freien und doch vereinigenden Synodalverfassung. Nur um dieses Institut mit desto grösserer Sicherheit in's Leben zu rufen, halten wir es für gut, den Zeitpunkt seiner Begründung nicht in Verhältnisse zu setzen, welche es so vielen Gemeinden des deutschen Vaterlandes noch nicht möglich machen, sich an dem gemeinsamen Werke zu betheiligen. Indessen sehen wir schon jetzt den Meinungsäusserungen sowol der hier versammelt gewesenen Männer, als Aller, die für die Aufrechterhaltung des israelitischen Gemeindelebens ein warmes Interesse fühlen, entweder in den öffentlichen Organen des Judenthums oder in unmittelbaren Zuschriften mit Verlangen entgegen. Möge der Gegenstand möglichst allseitig besprochen, in den Gemeinden erörtet, in Bezirksversammlungen zur Anregung gebracht werden, damit die Ansichten, Wünsche und Bedürfnisse sich zu erkennen geben, und wir darnach das ermessen können, was nach der ausgesprochenen öffentlichen Meinung und im Interesse des Ganzen in dieser wichtigen Angelegenheit ferner zu geschehen habe.

FRANKFURT-AM-MAIN, Feb., 1849.

DER STÄNDIGE AUSSCHUSS FUR DIE ERSTE ALLGEMEINE ISRAELITISCHE SYNODE.

DR. JAKOB AUERBACH.
DR. FORMSTECHER.
DR. I. M. JOST.
RABBINER LEOPOLD STEIN.
LEOPOLD BEER.
MOSES B. GOLDSCHMIDT.
LOUIS LOTMAR.
DR. JAKOB WEIL.

[*Allgemeine Zeitung des Judenthums*, No. 14, April 2, 1849, pp. 184-186.]

sions on laws, and new laws from the different sources, decisions of synods and decisions of schools; the former are arbitrary (נמנו ונמרו) or based upon the Bible, Mishnah, etc.; the latter are only based on the Bible, Mishnah, etc., by the thirteen rules of interpretation. Every student at any time has the right of correcting the decision of a school, if he finds it incorrect according to the rules of interpretation. But the decisions of a Synod can be amended or repealed by a Synod only. This is the historical Jewish method of perpetual reform and research in the Law of God. A Synod has the right:

First. To suspend a biblical command for the time being, if it intends to preserve the rest.

Second. To abolish rabbinical ordinances which are not practiced, גזירה שלא פשטה which are in conflict with the just demands of the time [גזירה שאין רוב הצבור יכולין לעמוד בה] of which the cause of their enactment exists no longer, [בטל טעם] or which no longer support the idea which they were intended to embody.

Third. To make such regulations and establish such customs as are subservient to maintain the unity, forward the prosperity, or elevate the dignity of Israel, not however, in contradiction to the Law or its legal consequences.

We pause here and say: we challenge the most orthodox and most learned Talmudist to say, that there is one word in the above, not strictly according to Jewish laws. On the other hand, we challenge the sincere friends of reform to say that not all desirable reforms within the pale of Judaism could be obtained in this legal and historical way. We are certain that none will successfully contradict us. The cause of the objection against these principles is threefold:

1. The want of investigation in the matter.

2. The unwillingness of the old school men to confess that there is in Judaism a legal way of reform.

3. The desire of many of our friends of reform to stand aloof from their brethren, and go their own way without caring for the vast majority of their brethren.

If these premises are admitted, the necessity, benefit and legality of a Synod must be understood without any further exposition.

It will be seen from what is said above, that reforms must be legal and necessary; and first must be decided by the scholars, אין לך אלא שופט שבימיך and the latter must be decided by the people or their delegates; therefore, the Synod must consist of ministers and laymen. The cry of hierarchy, spiritual despotism, bishops, popes, and other such nonsense, which some raise just for the purpose of having something to say, is of no avail; for if the vast majority of the Synod consist of lay delegates, their cry falls at once to the ground.

This is the only legal way of reform, and the only method of reconciling perpetually, life and religion. As long as there are not Synods organized in each country, and these Synods do not elect again their delegates, to meet at least every ten years in a Grand Council [סנהדרין גדולה] in any part of the world, there is no hope for the preservation of Israel's union, the reconciliation of life and religion, or the restoration of the peace and concert in Israel.

Besides this, it must be considered what new life this body would bring into the Synagogue, what beneficial institutions they could establish and how they at once would re-elevate the Synagogue to that high position which it once occupied.

"Who will not tell shall bear his iniquity" is the word of the Bible. It is our duty to tell, to show again and again the remedy which should be applied to the existing evil. If there is even none to listen, we must still do our duty, and to the last day of our life we will yet say, only a Synod can do us any good. If none will hear, God will hear, and judge and decide.

[*Israelite*, Sept. 19, 1856, p. 84, editorial, "The Synod Again."]

B. FELSENTHAL, 1856.

"The modern Jewish consciousness is even opposed to all Sanhedrins, denies them the right to usurp the authority which belongs to the individual Jews. Even if a Sanhedrin, with exclusive power to bind and to solve would still exist, the modern consciousness would employ all legitimate means to destroy it as an obstacle of the development of Judaism, and as disturbing, checking, and fettering the freedom of thought and liberty of conscience of the individual."

S.

[*Sinai*, February, 1857, p. 406.]

PROTEST OF HAR SINAI CONGREGATION, BALTIMORE, AGAINST THE PLATFORM OF THE CLEVELAND CONFERENCE IN 1855 RECOMMENDING THE CONVENING OF A SYNOD.

"May the free American Israel be guarded against hierarchical schemes, which under the cover of sweet harmony and peace try to enslave and fetter it. The original plan was to establish a *Consistory*. Let once the great work of peace be perfected and everything be brought under one hat and pretty soon the hat will be transformed into the mitre of the bishop, then a chief shepherd will be needed for the large herd; and Jewish Popes will be a fixture. Let us thank God for the blessings of religious freedom in this country, and let us beware of placing a yoke upon our shoulders, under the burden of which neither the old nor the reformed Judaism would be able to breathe freely." S.

[Einhorn's *Sinai*, I, 28.]

LEOPOLD STEIN, 1856.

"With us in Europe the endeavor to guard against every secession in one and the same congregation is justifiable. This consideration has in many places prevented more decisive and radical reforms. But things are different in America. There is secession from the start. Why, then, make attempts to force uniformity? It was always our most cheerful hope that in the land of liberty Judaism, unchecked by external disturbances, and free from the yoke of talmudic casuistry would indeed soar to the heights of freedom. But with a feeling of bitterness we must confess that we are *deeply disappointed* in this hope. A *Synod*, based upon such principles, *could perhaps establish a North American 'High Synagogue.'* But the chances are that the *dissenters* might soon constitute the *majority*." S.

[Stein's *Volkslehrer*, V, 418-19.]

WISE. 1857.

We must have reforms, a new position in society requires an outward change of matters and things; but we want no illegal reforms; such a Synod or its committee which will decide to be legal, are so, notwithstanding the weeping of the ultraconservative and the noise

of the radicals. We want progressive reforms which sever not the ties of our nation; such reforms can originate only with a Synod in which the congregations are represented. We want a conservative authority opposed to the nullifying attempts of ignorance and frivolity, the arrogance of self-made ministers and overbearing Parnassim, the money-raising speculations, to which congregational officers are now reduced. We must have an authority to form a center of union, to produce and carry out plans for the revival of the Jewish spirit by thorough knowledge, eminent learning and true piety. This authority is the Synod in every country with its executive committee, and the General Synod, consisting of members elected by the several Synods, and of its executive committee.

Let the individual arrange his own religious affairs as his conscience dictates, but the affairs of Israel's religion, the Messiah of the world must be managed by Israel aggregately. Israel in union and harmony, in one mind and one spirit.

ויישם לך שלום.

[*The Israelite,* March 27, 1857, p. 300, editorial, " Another Voice in Favor of Synod."]

HOLDHEIM. 1857.

It is not so absolutely true as is commonly thought that the presence of a regularly constituted religious authority retards and that its absence promotes free development in Judaism. On the contrary, from an historical point of view the opposite must be maintained. As long as a body existed which was possessed of the sanctified authority to arrange of its own volition the religious life of the people according to its needs, so long was the progress of the religious spirit, even against the Bible, free and active. This ceased only when the dead letter gained power and religious life which had till then continually developed was benumbed. The authority of the Bible was embodied in the authority of the central religious organization and the letter of the former was full of the living spirit of the latter. . . . .

The authority of the central religious organization (Synhedrin) was based only apparently on old traditions. In reality it depended rather upon the fact that it took cognizance of the life and conditions of the people and thereby made itself the true and apt organ of the

religious sympathies of the people. The people are always very susceptible to belief in the divine authority of that religious organization from which the furtherance of its spiritual well-being proceeds.

Tradition was, therefore, not the root but rather the crown on the trunk of the authoritative religious organization (Religionsbehörde); this latter was not the child of tradition, but vice versa. Had the German rabbinical conferences known how to maintain and enhance the sympathies of the educated public, which originally hailed them with joy, they would not have lacked authority whereby to become gradually the guides of the religious spirit in Judaism and to fortify themselves in this position. Unless we are much mistaken as to the future, this must eventually happen in Judaism. Over all the chaotic dissensions there hovers and rules the historical spirit of Judaism, and this will not fail to create its organ.[11]

[*Geschichte der Entstehung und Entwickelung der jüdischen Reformgemeinde in Berlin*, Holdheim 1857, Note 3, pp. 220-221.]

[11] Es ist nicht so unbedingt wahr, wie allgemein angenommen wird, dass durch eine constituirte Religionsbehörde die freie Bewegung im Judenthume gebunden und in Ermangelung derselben die Freiheit gefördert werde. Vielmehr muss vom historischen Standpunkte aus das Gegentheil behauptet werden. So lange eine Behörde existirte, die im Besitz der geheiligten Autorität war, das religiöse Leben der Nation nach deren Bedürfnissen selbständig zu ordnen, war die Fortleitung des religiösen Geistes, auch der Bibel gegenüber, eine freie und lebendige, die erst dann erstarb, als der todte Buchstabe das Regiment überkam und das bis dahin flüssige und bewegliche religiöse Leben in ihm erstarrte. Die Autorität der Bibel war in der Autorität der Religionsbehörde verkörpert und der Buchstabe der erstern voll des lebendigen Geistes der letztern. . . . .

Die Autorität der Religionsbehörde beruhete aber nur scheinbar auf alten Ueberlieferungen, im Grunde vielmehr darauf, dass sie auf das Leben und die Lebensverhältnisse des Volkes Rücksicht nahm und sich dadurch zum wahren und glücklichen Organ der religiösen Sympathien des Volkes machte. Das Volk ist immer sehr empfänglich für den Glauben an die göttliche Autorität derjenigen Religionsbehörde, von der es Förderung seiner geistigen Wohlfahrt erhält. Die Tradition war daher nicht die Wurzel, sondern vielmehr die Krone an dem Stamm der Religionsbehörde, und diese ist nicht aus jener entsprossen, sondern jene von dieser erzeugt worden. Hätten es die deutschen Rabbinerversammlungen verstanden, sich die Sympathien der gebildeten Gesammtheit, die ihnen anfänglich zujauchzten, zu erhalten und dieselben zu steigern, es hätte ihnen an Autorität nicht gefehlt, sich

ZACHARIAS FRANKEL. 1857.

If we are, therefore, not able to give again to learning its former activity, then all the more is it incumbent on us to prevent that disunion which presumption, nourished and maintained by increasing ignorance here and there, threatens to bring about. The only relief lies in a supreme religious congregation in the form of a consistory or Synod independently chosen by the congregations themselves. There was such an authority of old in Judaism. It went by the name of the great Sanhedrin in the temple at Jerusalem and its dicta were accepted by all Israel. This institution was not re-established after the downfall of the Jewish state. It was thought best to allow learning the widest possible range. The universality of scholarship and the active religious spirit which resulted therefrom warranted that it would neither batter down the restraints of the faith nor yet hold it in gloomy subjection. The necessity for a supreme, religious organization is, we cannot deny, a melancholy phenomenon, yet its institution is peremptory, if we do not desire a worse condition. Scholastic freedom as well as the independence of the congregations will be more secure in the hands of such an authority than it is in the present chaos where the "priestly garb" (שמלה לכהן) here, there and everywhere is exploited in the most unworthy manner to the injury of learning and of the normal development of the congregations. It is possible that Judaism at present is not qualified to create such an institution because of the many different elements within it. Yet real religious necessity forces its way through hindrance and obstruction. Many recent events point to a remedy along the lines indicated above and a not distant future will witness its realization in all likelihood.[12]

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immer mehr und mehr zur Fortleiterin des religiösen Geistes im Judenthume zu machen und in derselben zu befestigen. Wenn uns unser Blick in die Zukunft nicht trügt, wird es im Judenthum doch dahin kommen müssen. Ueber allen chaotischen Zerwürfnissen schwebt und waltet der geschichtliche Geist des Judenthums. Dieser wird nicht verfehlen, sich sein Organ zu schaffen.

[*Geschichte der Entstehung und Entwichelung der jüdischen Reformgemeinde in Berlin,* Holdheim, 1857, note 3, pp. 220-221.]

[12]. . . . Vermögen wir daher nicht der Wissenschaft ihre frühere Lebendigkeit wiederzugeben, so ergeht um so mehr die dringende Aufforderung,

GEIGER. 1865.

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Two things are necessary. In the first place a Jewish theological faculty.

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. . . . Secondly, large assemblies for the discussion of Jewish questions. By such means only does regenerated interest as well as mutual understanding and enlightenment arise. This is the center of gravity of the whole matter. In such assemblies, general, practical questions, which are continually cropping up, spring forth of themselves. They cannot be prescribed beforehand. It is a mis-

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der Zersplitterung vorzubeugen, welche die durch die überhandnehmende Unwissenschaftlichkeit genährten und geförderten Anmassungen von der einen wie von der andern Seite herbeizuführen drohen. Die Abhülfe zeigt sich allein in einer von den Gemeinden, in Form eines Consistoriums oder eine Synode selbstständig gewählten obersten Religionsbehörde. Das jüdische Alterthum kennt eine solche Behörde: sie residirte unter dem Namen des grossen Synhedrins (Synhedrions) im Tempel zu Jerusalem und ihr Ausspruch war massgebend für ganz Israel. Das Institut wurde nach dem Untergange des jüd. Staates nicht erneuert; man wollte der Lehrfreiheit den weitesten Umfang geben, und dass sie weder die Schranken des Glaubens durchbrechen, noch ihn in dumpfer Unterwürfigkeit darnieder halten werde, dafür bürgte die Allgemeinheit des Studiums und der durch es geweckte lebendige wie glaubensstarke Geist. Das Bedürfniss einer obersten Religionsbehörde ist, wir können es nicht verhehlen, eine trübe Erscheinung und dennoch unabweisbar, wollen wir nicht noch trüberen Erscheinungen entgegengehen. Auch wird die Lehrfreiheit so wie die Selbständigkeit der Gemeinden im Schosse einer solchen Behörde gesicherter sein, als in der jetzt allenthalben hervortretenden Zerfahrenheit, wo das "Priestergewand" שמלה לכהן hier wie dort in der unwürdigsten Weise zum Nachtheile der Wissenschaft und der naturgemässen Entwickelung der Gemeinde ausgebeutet wird. Zwar dürfte unsere Gegenwart nach mehrfach sich in ihr geltend machenden Elementen zu der organischen Schöpfung eines solchen Instituts nicht befähigt sein; doch das eigentlich religiöse Bedürfniss kommt durch Hindernisse und Hemmnisse zum Durchbruch, es dringen vielfache Vorgänge auf eine Befriedigung in obigem Sinne, und es wird sie wohl eine nicht ferne Zukunft bringen. . . . .

[*Monatschrift für Geschichte und Wissenschaft des Judenthums*, Dr. Z. Frankel, 1857, pp. 15-16.]

take to continually insist upon a declaration of a practical, tangible purpose from such an assembly, when the practical lies in the very gathering together of such a large body which is susceptible of every sort of stimulation and is ready to lend its strength to every movement towards every revival and improvement in wider and narrower circles. Finished results and definite aims should not be presented to it but means should be offered to bring about a more correct knowledge of Judaism and to affect a blending of the religious spirit with life, by which means in every instance the adequate result will be accomplished. Every epoch brings its problems, which affect now a smaller and now a larger sphere, but which are not solved properly because general interest and the vigor of combined action are lacking.[13]

ALLIANCE ISRAÉLITE ON SYNOD, 1867.

It is only natural that the Alliance Israélite Universelle should decline to send a delegate to the Synod since it is a political organi-

[13] WAS THUT NOTH?

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Also zwei Dinge thut Noth: erstens eine jüdisch-theologische Facultät. . . .

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Das zweite besteht in grösseren Versammlungen zur Besprechung jüdischer Fragen. Nur aus ihnen erwächst ebenso ein neu belebtes Interesse wie gegenseitige Aufklärung und Belehrung. Hierin liegt der Schwerpunkt des Ganzen. In solchen Versammlungen bilden sich die überall vorliegenden und jeden Augenblick neu hervortretenden praktischen Fragen von selbst; sie können nicht von vornherein, vorgeschrieben werden. Ich halte es für ein Missverständniss, wenn man hier immer auf die Angabe eines praktischen greifbaren Zweckes dringt, während das praktische gerade in dem Mittel liegt, eine grössere Schaar zu sammeln, die für eine jede Anregung empfänglich ist, und einer jeden Belebung und Verbesserung im grösseren und engeren Kreise ihre Kräfte zu leihen bereit ist. Nicht fertige Resultate soll man entgegen bringen, nicht bestimmte einzelne Zielpunkte aufstellen, sondern gerade dem allgemeinen Ziele einer richtigeren Erkenntniss des Judenthums und einer Verschmelzung der religiösen Idee mit dem Leben die Mittel darbieten, wodurch in jedem einzelnen Falle das angemessene Resultat erreicht werde. Jeder kurze Zeitabschnitt bringt seine Frage, die bald einen engeren bald einen weiteren Kreis bewegt, und die nicht zur geeigneten Lösung kommt, weil die allgemeine Betheiligung, der Nachdruck der gesammtthätigheit fehlt. . . . .

[*Jüdische Zeitschrift für Wissenschaft und Leben*, 1865, pp. 254-255.]

zation which aims only to protect and educate our persecuted brethren.

[*Allgemeine Zeitung des Judenthums,* Aug. 13, 1869, No. 15, pp. 289-290.]

1868.

RESOLUTION ON SYNOD PASSED BY RABBINICAL CONFERENCE AT CASSEL, AUGUST, 1868.

The assembly at Cassel unanimously decided upon the following:

1. To call a Synodal assembly composed of rabbis, Jewish scholars and representatives of the congregations.

2. To choose committees from the various spheres of Judaism who are to formulate propositions for the synod, and to explain and prove them in memoirs.[14]

FROM MINUTES OF CASSEL RABBINICAL CONFERENCE, 1868.

The rabbinical conference at Cassel is of the opinion that a Synod, called from time to time, would stir matters up in Judaism. The next Synod shall be held in 1869. The desire was also expressed that district and provincial Synods be constituted to make preparations for the General Synod. It is understood that in these smaller Synods, Jewish scholars and representatives of communities can and should take part as well as rabbis.[15]

[14] Die Versammlung zu Cassel beschloss daher einstimmig:

1. Eine Synodalversammlung aus Rabbinen, jüdischen Gelehrter und Vertretern der Gemeinden, zu berufen;

2. Commissionen zu erwählen, welche aus den verschiedenen Gebieten des Judenthums für die Synodalversammlung Anträge formuliren und in Denkschriften auseinander setzen und begründen sollen.

[*Allgemeine Zeitung des Judenthums,* Jan. 26, 1869, Vol. 4, p. 63.]

[15] BERICHT ÜBER DIE VERHANDLUNG DER RABBINERVERSAMMLUNG ZU CASSEL.

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2. Die gegenwärtige Versammlung nimmt die bei ihr eingehenden Anträge in Empfang, entscheidet, ob alsbald darüber beschlossen, oder nach kurzer Berathung je ein Referent, Coreferent oder Commission ernannt werden sollen die ihre Berichte der jetztigen oder nächsten Versammlung zu übergeben haben.

Nach diesem Beschlusse wurden die verschiedenen eingegangenen Anträge

GEIGER. 1868.

The rabbis' meeting at Cassel (August, 1868) decided to agitate for mixed assemblies, in which, however, the rabbis were to predominate. The rabbis will and really ought to form the nucleus for they combine expert knowledge with an understanding of the needs of practical life. The assemblies, furthermore, should be deliberative but not authoritative. If the term "Synod" has been used frequently to designate these assemblies it should denote only the combination of the various elements, not the fulfillment of a choice and the right to make decisions. If representatives of congregations (Gemeindevertreter) are mentioned as to form one of the elements of the assembly, along with rabbis and scholars, such are to be men who are capable of participating in such deliberations. They will be known to be such through the confidence which the congregations show by choosing them as representatives and through the insight into and knowledge of the needs of the congregations which they have gained as administrators of communal affairs. But this does not mean exclusively men who have been expressly chosen and delegated by the congregation or the directorate for this purpose, not representatives. The vital point is not the

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verlesen die ihrem Inhalt nach in 4 Kategorien sich theilten, indem sie (1) den Cultus, (2) die Synode, (3) die Schule und (4) das Ritual- namentlich Ehegesetz betrafen. Es wurde zur Abstimmung die Frage gestellt: in welcher Reihenfolge über die Anträge berathen und beschlossen werden solle? Nach längerer Debatte wurde durch Stimmeneinheit beschlossen, in erster Reihe über die Berufung periodischer Synoden sich zu verständigen, Denn—das leuchtete ein—das religiöse Leben in den Gemeinden wird ein Ferment erhalten durch von Zeit zu Zeit wiederkehrende Synoden. Die nächste Synode soll in Jahre 1869 einberufen werden. Die Unterzeichneten wurden damit betraut, dazu die Vorbereitungen zu treffen. Auch der Wunsch fand Anklang, es sollen in engern Bezirken Local- und Provincialsynoden sich constituiren, um für die jedesmalige Generalsynode vorzuarbeiten. Es versteht sich von selbst, dass dort wie hier ausser den Rabbinern auch andere jüdische Gelehrte und Gemeinde-Vertreter sich betheiligen können und mögen.

ADLER, PHILIPPSON, AUB.

[*Beilage zur Allgemeiner Zeitung des Judenthums*, No. 4, Jan. 26, 1869.]

credential indicating authorization to cast a vote for the congregation. The power of conviction not delegated power must be the supreme influence. In law-making and legislative bodies, when it is a question of the immediate satisfying of inevitable demands, the people, the majority, must yield, give the final decision through their representatives. Spiritual questions and those involving conviction can be discussed and brought to a head only by those who are by nature capable and called and not by delegates.[16]

[*Jüdische Zeitschrift für Wissenschaft und Leben*, Dr. Abraham Geiger, 1868, p. 245.]

[16] DIE VERSAMMLUNG VON RABBINERN IN CASSEL.

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Also . . . . gemischte Versammlungen, in denen doch die Rabbiner den Schwerpunkt bilden werden, beschlossen die zu Cassel Tagenden anzuregen. Ja, die Rabbiner werden und sollen auch ferner deren Schwerpunkt bilden, weil sie eben die beiden massgebenden Momente der Sachkennerschaft und des Lebensbedürfnisses in sich vereinigen. Die Versammlungen sollen auch weiter ganz den bisherigen Charakter der freien Berathung und nicht der Entscheidung haben. Wenn der Ausdruck "Synode" häufig für dieselben gebraucht worden, so sollte derselbe die Zusammensetzung aus verschiedenen Elementen, nicht die Vollziehung einer Wahl und die Berechtigung zur vertretenden Entscheidung bezeichnen. Wenn neben Rabbinern und Gelehrten noch von "Gemeindevertretern" die Rede ist, welche ein Element der Versammlung bilden sollen, so sind unter ihnen Männer verstanden, welche Beruf und Befähigung zur Theilnahme an solchen Berathungen bekunden durch das Vertrauen, welches ihnen die Gemeinde durch die Berufung zur Vertretung ihrer Angelegenheiten bewiesen, durch den Einblick und die Erfahrung über die Bedürfnisse der Gemeinden, welche sie durch die Verwaltung erlangt haben. Keineswegs sind aber etwa damit ausschliesslich Männer gemeint, welche ausdrücklich zu diesem Behufe von der Gemeinde oder dem Vorstande gewählt und abgeschickt werden, nicht Abgeordnete. Es gilt nicht die abschliessende Entscheidung, nicht die Legitimation, dass man befugt sei für die Gemeinde ein Stimmrecht auszuüben. Die Macht der Ueberzeugung muss wirken, nicht die übertragene Gewalt. Bei gesetzgebenden Versammlungen, bei Landtagen, wo es die unmittelbare Befriedigung unausweichlicher Anforderungen gilt, muss die Masse, die Majorität, beziehungsweise ihre Vertretung das Endurtheil abgeben; Fragen des Geistes und der Ueberzeugung können nur zu Discussion, zur Reife gebracht werden von den dazu innerlich Befähigten und Berufenen, nicht von Delegirten.

[*Jüdische Zeitschrift für Wissenschaft und Leben*, Dr. Abraham Geiger, 1868, p. 245.]

1868.

JEWISH CHRONICLE.

THE PROJECTED SYNOD.

A subject of considerable interest to the Jewish community is now being discussed by a portion of the Continental Jewish press. It is the expediency of convening an universal Synod, or, to borrow an ecclesiastical term from our neighbors, an oecumenical council. The idea was suggested by the Vice-President of the Central Consistory of France, and met with the approbation of the eminent Jewish historian, Dr. Grätz, and we believe also of some of the other leading scholars of the Jewish people. Without inquiring whether provincial and even local conferences should or should not precede the proposed universal gathering; whether preliminary meetings for the purpose of preparing and eliciting public opinion on the matter should or should not be held in the several centers of the Jewish population; and whether a programme of the work to be done should or should not be published—we are inclined to believe that the meeting of such a Synod in our days is neither impracticable nor undesirable.

A satisfactory answer, however, must depend upon the nature of the replies that can be given to a series of questions, some of primary and others of secondary importance, and which may thus be formulated. Is there anything in the existing state of Judaism that should render such a convention at all desirable? And if the state of Judaism should be such as to call for such a meeting, what remedy could this offer for healing any of the existing evils? Lastly, suppose remedies were suggested, what means would the Synod have to apply them? To illustrate this by a simile taken from every-day life, the question is, Is there really sickness in the house? and if this be the case, Is the sickness of a nature to allow of successful treatment? and what means is there to induce the patient to submit to the proposed treatment? And should all these questions receive a solution in the affirmative, then it may be asked, By whom is the Synod to be convened—where is it to meet? is it to be composed of voluntaries or delegates of communities? and in the latter case, what are to be the qualifications of a candidate? It need hardly be

stated that an exhaustive answer to these questions would require an essay. Nevertheless a general reply to them may be given within a much narrower compass; and this attempt we will now venture to make.

We are not afraid of being contradicted by any of our readers if we characterize the present state of Judaism in the civilized world as one calculated to give rise to very serious apprehensions. Gradually, ever since the partition walls of the ghettos have been broken down, and their secluded tenants invited to come forth and take up a position in general society, there has arisen a deplorable disharmony between Jewish inner life such as shaped by traditional habits, practices, tastes, views and associations of olden times, and the opinions, customs, notions, and demands of a period under the dominion of radically different influences, motives of action and aspects of things. No one, however superficially he may have observed the events of the day, can deny the existence of powerful agents gnawing at the very vitals of Judaism, incessantly corroding and disintegrating its elements. The gulf between Judaism and Judaism, as in theory and practice, becomes daily wider. Theoretically, we, in reference to Judaism, still occupy the standpoint on which the Polish Rabbi Isserles, the last authoritative commentator of our religious code, placed us in the sixteenth century; but practically—where are we? Parodying the words of the prophet, we may say, "The number of thy congregations are thy codes of law, O Judah!" Whether in dogma, practice or culte, which is their visible manifestation and expression, the unfortunate differences are equally striking. Not even the leading doctrines have escaped either the mutilating knife or the decomposing process of an unscrupulous age. We do not create the differences if we point them out; we do not enunciate an opinion if we characterize it. We simply chronicle what already exists.

Now it cannot be denied that there are at present whole congregations—and these by no means small in number or uninfluential—which no longer wish for a restoration to the land of their fathers, and which shrink from the very idea of the reinstitution of animal sacrifices. Nay, more; the idea of a personal Messiah is altogether alien from their minds. And accordingly, from the prayer-

books compiled for these communities all references to these doctrines have been carefully eliminated. New and individual interpretations of inconvenient laws and practices have in many cases been substituted for traditional ones, hitherto considered authoritative; and in accordance and in harmony with these new views, alterations have been made in public worship as well as in the observances once customary in private life. All these matters being notorious, can it be denied that there is indeed desolation in Judah, that from the sole of the foot to the crown of the head there is nothing whole, that there is sickness in the house, and that there is time to call in medical aid?

But what remedy, it will be asked, could a Synod propose? Would any Council, however earnest, devout and learned, have authority profanely to lay hand on the sacred building designed by the sages of old, and completed in subsequent ages after the model bequeathed to them? Has not, with the conclusion of the Talmud, all capacity for further development, the formation of new institutions, and the modification and abolition of old ones, however useless, however subversive of their primary object, ceased? Were we of this opinion, there would of course be an end to all further inquiry. What would be the use of calling a physician into the house of sickness, if the case is known to be incurable? But this view of ultra-orthodoxy is altogether unfounded. It would take more space and time than we can conveniently devote to the subject, were we to attempt conclusively to show the untenableness of this opinion. Suffice it for the present to state in general terms, that the Talmud was never intended by its authors and compilers as a finality; that its conclusion was rather owing to circumstances from without—persecution and suppression of academies—than design; that its decisions have never been received as final by any Synod; that the authority which it undoubtedly possesses is rather due to the respect which its individual representatives instilled into the minds of the people, to the tacit assent of the leaders of Israel, and to the necessity felt of possessing some standard for uniformity, than any distinct consciousness in the popular mind of its intrinsic merit and solemn reception by the whole dispersion of Israel; and that if there are here and there found in the Talmud, dicta which seem to arrogate to it final

authority, they are neutralized by others of a contrary sense; that the Talmud itself presents to us the most striking instances of differences of opinion; and that, after all, although in a smaller degree, further development, extension and contraction have taken place in subsequent ages.

If Israel, within the last thirteen centuries, has apparently stood still; if in the decision of all grave questions it exclusively leaned upon this staff, it was because of the hostility of the outer world which rendered all joint deliberation and action impossible; and thus, if religious anarchy was to be avoided, pointed to the status quo as preferable to the disintegration which must have been the consequence of a single-handed movement; it was because the instinct of self-preservation amidst deadly foes, incessantly plotting the religious destruction of the people pointed to the book which, more profoundly than any other of its writings, sympathetically responded to it; and lastly, it was because the mighty yearning after union, so deeply felt amidst the elements aiming at separation, outweighing every other consideration, attached itself with irresistible tenacity to the volume which, more than any other, was calculated to gratify the longing and to uphold the fellowship. But these claims of the Talmud to the legitimate influence undoubtedly due to it, and happily exercised by it, to the just authority which it enjoys, and the well-deserved veneration in which it is held, cannot, and in fact, were not intended by its authors and compilers, to override the rights of a future generation to examine, as they themselves have done, the principles of the Law, to adopt the practices and observances growing out from them to the ever-varying wants of every age, and while sacredly preserving the foundation, modify the superstructure according to circumstances.

But while vindicating these rights for every duly constituted universal Synod, and claiming for it the power of resuscitating, as it were, the authority of the Sanhedrin, which was never extinct but only held in abeyance, while outward circumstances prevented its reconstitution, we as firmly deny that any single section of Israel can, of its own accord, legally carry out any such modifications, however justifiable on general grounds. Indeed, were any such authority conferred on any single section of Israel—and what would

be accorded to one could not be withheld from another—its unity must soon cease; and whatever the advantage that could possibly accrue to any single section from such an authority, would be more than counterbalanced by the injury which it must inflict on the totality by the forcible destruction, or at least weakening of the bonds of union now joining together Israel's dispersed throughout all the world. An universal duly constituted Synod, therefore, it is our firm conviction, could re-establish between the demands of the age and those of traditional Judaism that reconciliation so much needed, and without which the sons of the patriarchs must forever oscillate between the two, or, by keeping near the one set, leave the other unsatisfied.

Indeed, were such a reconciliation established it would not be the first time. A precedent may be found, although the event which had disturbed the harmony was quite of a different nature. When, after the destruction of the second temple and the dispersion of Israel, our national institutions had, as it were, lost the center of gravity—some having been deprived of their vitality, while the altered circumstances rendered new ones necessary—the constituted authorities of the time did not fail energetically to go to work to adopt, to modify, to create, rescind or suspend, as the case might have been; and the Mishnah has preserved many a striking instance of the blissful activity displayed by those truly enlightened preservers of Judaism, one of whom—we refer to Rabbi Jehudah the Prince—candidly admitted that what he undertook was not in accordance with the Law as received by him, but was rendered necessary by Israel's increasing oppression and ever widening circle of dispersion. But if even the Synod should come to the conclusion that it is not in its power to propose a remedy, the meeting would not have been in vain. It would show to Israel what cannot be done; and this, too, would be a gain. For every member of the house of Israel would then know that it is useless for him to wait for the means of reconciling conflicting claims made upon him—that he himself must be the umpire in his own cause, and that he must act accordingly.

But suppose, it will be asked, the Synod should discover and propose the much-needed mode of reconciliation, what means has it to

ensure acceptance for it among the several sections of Israel? Would not all the inquiries, all the debates and all the resolutions be as much waste of time, if Israel should decline receiving what is tendered to it? This is a very grave question, the last of three upon the reply to which we said the expediency of convening a Synod rests.

NOTE.—This question was to be discussed in the next number of the *Occident,* but the article never appeared.

[From *The Occident,* February 1868, Vol. 25, p. 545.]

EDITORIAL IN OCCIDENT, 1868.

A SYNOD.

Some months ago we printed an article from the London *Jewish Chronicle,* advocating the convention of a Jewish ecclesiastical Synod. There were some suggestions thrown out as to the object of such a gathering, and the action deemed necessary. It was urged that the differences of opinion prevailing among the various congregations, might, to a great extent, be reconciled by the judicious counsels of the learned, and Israel once more become united. Such a general council has not been held for a long time, and the fact that former generations have deemed it necessary to have such convocations is not the lightest of the arguments in favor of the measure. If, however, the state of the European Jewish community makes such a movement advisable, surely the condition of our American "synagogue" imperatively demands it. In proportion to our population, we have many more schisms than our trans-Atlantic brethren; for, wherever "reform" has penetrated nearly each congregation has a Minhag of its own, and it would be hardihood to say, that any two bodies, who have abandoned ancient Judaism, have services exactly similar. It is impossible to say how many prayer-books are in use, or how much of each has been discarded by particular congregations. Suffice it, that every rabbi, who boasts of his enlightenment has instituted some changes. The most curious and troublesome feature of it all is, that the clear spirits of the new apostles see things in such various lights that no two of them agree. We have, for instance, the *moderate "orthodox,"* who thinks that our fathers did exactly right, but for the sake of peace and harmony, is

willing to cut a piece off the service here and add another there, who heartily sympathizes with the æsthetic feelings of his cultivated flock and gives them a fashionable choir, composed of men, women and children without distinction of faith; who adds German or English hymns and goes into holy ecstasy over the devotion produced by the salutary changes. Then we have the *moderate "reformer,"* who believes that the age has gathered all the enlightenment of the world, and that however sensible our ancestors might have been in their days, they would cut but a sorry figure in ours. He is not prepared to break down entirely the bridge which connects us with the Judaism of the past. In other words, although he has profound faith in the wisdom of his own age, a fair share of which he modestly ascribes to himself, although he thinks that his pet ritual is the great panacea which cures all the evils of "orthodoxy" and converts it into a beneficent "reform;" although he denies the truth of opinions which have been generally received by Jews all the world over, yet does he profess or entertain a sincere admiration for what he calls pure Judaism, uncorrupted by human additions. Lastly comes the *"ultra-reformer,"* who philosophizes away all Judaism and all religion, and yet preaches vague generalities about the pure religion of Moses, which he asserts to be his own, and considers every one else as a benighted heathen who must be looked upon with contempt. This enumeration alone, although it gives only the strongly marked parties and omits the many minor shades of distinction, is sufficient to show that there is a great lack of unity among us. Two questions therefore arise: Can these differences be reconciled? How can we effect the reconciliation? These queries are of the gravest import, and may well engage the attention of our deepest thinkers.

As to the first we are inclined to believe that there is no insuperable obstacle to the harmony of the great mass of American congregations, or perhaps of all of them; at least so far as the ritual and outward observances are concerned. We cannot make articles of faith to which all will subscribe, but this we neither need nor desire. Never, we think, has a general council laid down dogmas for Jews, the unbelief of which made one heretical, and our age would be the most impracticable for the commencement of such a course. True, all Israelites for centuries believe in certain principles ably summar-

ized by some of our leading men; but the whole matter was left to the individual conscience, and that is the only tribunal which we, for our part, should ever desire to see established on this point. But imperious as is the necessity for the perfect freedom of thought on dogmas, which, after all, may have no decided practical bearing on the performance of our moral and religious duties, it is no less necessary that there should be a standard for our practice to which all should conform. . . . .

An American Synod . . . is not desirable. We have, however, enough men of the requisite character and accomplishment, adhering to the various shades of Judaism, to constitute worthy representatives abroad in an assembly of the wise and learned of the world. Orthodox and reformers should there meet, lay down a solid basis for their action and then proceed. Had the Cleveland conference been sufficiently national, so that its decrees might have been authoritative, had it strictly adhered to the principles laid down at the beginning, it might have been an important service in the unification of American Judaism. If a general Synod as proposed should meet, take as its cardinal rules those of the Cleveland assemblage or something similar, we do not despair of harmony if the proper kind of men be there, men earnest in their desire to produce peace and unity. One thing above all it would require, a faithful and conscientious acquiescence in the determination of the conference upon such points as would properly be within the scope of its powers. This would be the principal difficulty, but scarcely an insurmountable one. If we investigate the cause of the disputes among Jews, as among others, it will be found that a difference of opinions on certain beliefs is the foundation of it. There are but two main principles, we think, which would be necessary for the guidance of the convention, viz., that the Mosaic law is obligatory upon the Jewish people, and that the Talmud contains its authorized and recognized exposition. Any one denying the first is certainly not a Jew, as that word has been understood up to the present time, and the admission of the first principle cannot be well utilized by any other means than by the admission of the second. We do not believe that the great mass of the Jewish people differ on these points, and it may be that upon that basis a uniformity most desir-

able can be established all over the globe. The experiment is certainly worth trying, even if it should have no other effect than to make our leading men of various countries acquainted with each other. The meeting of the learned and worthy will produce good fruits in any event. Some central point, such as Paris, might be selected, and the year 1870 would perhaps not be too early. We think the question an important one and hope to see it discussed and agitated till some steps are taken which will assure a practical and a beneficial result.

[*The Occident*, Aug. 1868, Vol. 26, pp. 193-200.]

INVITATION TO SYNOD, 1869.

Under the influence of the completely changed conditions in which the Jews have been living since the close of the last century, new and fresh activity arose in the religious province with the result that differing views and many conflicts became apparent. . . . . Individuals and congregations interpreted religious practice arbitrarily. Parties arose and internal divisions and violent conflicts took place, whereby the condition of Judaism became more and more precarious. A religion of the minority can be exposed to no greater danger than to become internally divided and agitated by violent party strife. It is easily seen that the only way to remedy this dangerous confusion is through coöperation and union. A real bettering of conditions can only be brought about by uniting the many and this union can only be produced by a proper and sufficient authority. For this purpose, on the 11th, 12th, and 13th of August of last year, rabbis from all parts of Germany and Switzerland met at Cassel and unanimously decided as follows:

(1) To call a Synod composed of rabbis, Jewish scholars and representatives of congregations.

(2) To choose committees, who are to formulate propositions for the synod, on subjects of varied Jewish interest and explain these in memoirs.

It is to be especially noted that the congregations which send delegates to this first synodal assembly by no means bind themselves to

accept its decisions and results. What is desired above all is that a start be given to effective coöperation free from any external compulsion."

[17] EINLADUNG AN DIE RABBINEN, JÜDISCHEN GELEHRTEN UND GEMEINDEVORSTÄNDE ZUR SYNODALVERSAMMLUNG.

Die von der Rabbinerversammlung zu Cassel gewählte Commission hat folgende Einladung an die Vorstände der jüdischen Gemeinden ergehen lassen.

WOHLLÖBLICHER VORSTAND!

Mit dem Ende des vorigen Jahrhunderts traten die europäischen Juden in das allegemeine Culturleben ein, indem allmälig alle Schranken des gewerblichen Lebens, des geselligen Verkehrs, der allgemeinen und wissenschaftlichen Bildung und endlich des öffentlichen Dienstes niedersanken. Unter der Einwirkung dieser völlig umgestalteten Verhältnisse erwachte auch in unsere Mitte ein neues frisches Leben auf dem Gebiete der Religion, in dessen Folge in dem Bereiche des Glaubens verschiedene Anschauungen und im wirklichen Leben vielfache Conflicte entstanden. Bei aller unerschütterlichen Glaubenstreue der Juden, welche heute, wie in der ganzen Vergangenheit, alle Opfer in Thun und Dulden zu bringen bereit ist, entstand in den Individuen wie in den Gemeinden eine wachsende Zerfahrenheit, eine fast unabsehbare Mannigfaltigkeit. Die Individuen legten sich die religiöse Praxis ein Jeder nach seiner Weise zurecht, und diesem Beispiel folgten die Gemeinden in ihren cultuellen Instituten. Aus diesen Conflicten gebaren sich aber auch Parteiungen, welche innere Spaltungen hervorriefen, und an vielen Orten heftige Kämpfe weckten, wodurch die Lage des Judenthums noch verworrener und bedrohlicher wurde. Eine Religion der Minderheit, eine Religion zerstreuter, kleiner Bruchtheile kann einer grösseren Gefahr nicht ausgesetzt sein, als innerlich gespalten, zerfallen, schwankend, und von heftigen Parteistreitigkeiten erschüttert zu werden. Leicht begreift man aber, dass man aus diesen Wirrsalen nur durch die Gemeinsamkeit, durch die Vereinigung heranzukommen vermöge. Eine wirkliche Besserung und Hebung der Zustände is nur durch die Verbindung vieler zu Stande zu bringen, und diese allein kann eine billige und angemessene Autorität erlangen. In diesem Sinne tagten, wie darüber der in der Beilage zur A. Zeitung des Judenthums Nro. 4 gegebene Bericht weitere Kunde gibt, am 11., 12. und 13. August v. J. zu Cassel 24 Rabbinen aus allen Theilen Deutschlands und der Schweitz. Dieselben erkannten, dass für die gegenwärtigen Zustände im Judenthum das nachhaltigste Heilmittel in der Schöpfung einer Vereinigung der wohlgesinntesten und tüchtigsten Kräfte bestehe, dass aber eine solche nicht in dem Zusammentritt und den Beschlüssen einer kleineren oder grösseren Zahl von Rabbinen gefunden werden könne, sondern durch den Hinzutritt von des

Judenthumes kundigen Gelehrten und vor Allen von Vertretern der Gemeinden selbst gebildet werden müsse. Die Versammlung zu Cassel beschloss daher einstimmig:

(1) Eine Synodalversammlung aus Rabbinen, jüdischen Gelehrten und Vertretern der Gemeinden, welche diese letzteren zu diesem Zwecke entsenden, zu berufen, und mit dieser Berufung die Unterzeichneten zu beauftragen.

(2) Commissionen zu erwählen, welche aus den verschiedenen Gebieten des Judenthums für die Synodalversammlung Anträge formuliren und in Denkschriften auseinander setzen und begründen soll.

Es ist einsichtlich, dass Seitens der Rabbinerversammlung nichts weiter als diese Zusammensetzung aus solchen Männern, welche den theologischen Lebensberuf, die theologische Wissenschaft und die Gemeinden vertreten, beschlossen werden durfte, der ersten Synodalversammlung hingegen alle näheren Bestimmungen über ihre künftige Gestaltung, Geschäftsordnung, Abstimmungsmodus u. s. w. in völliger Freiheit vorbehalten bleiben mussten. Die Commissionen über den Cultus, das Schulwesen, das Eherecht und die sonstigen Ritualien übernahmen die Verpflichtung, ihre Arbeiten so rechtzeitig vor dem Zusammentritt der Synodalversammlung zu veröffentlichen, dass Alle, die an ihr theilnehmen werden, sich vorher genügend damit bekannt machen und sie prüfen können. Auch das ist kaum nöthig hervorzuheben, dass die Gemeinden durch die Beschickung dieser ersten Synodalversammlung durchaus noch keine unmittelbare Verpflichtung für die Beschlüsse und Ergebnisse derselben übernehmen. Es gilt vielmehr vor Allem, den Grundstein zu einer grösseren und innigeren, aber völlig freien und jedes äusseren Zwanges entkleideten Verbindung, zu einer sichtbaren und wirkungsvolleren Gemeinsamkeit und Zusammengehörigkeit zu legen.

Wir treten daher an die jüdischen Gemeinden überhaupt und an den wohllöblichen Vorstand insbesondere heran, um Wohldenselben zur Beschickung der im Laufe des Sommers 1869 zu veranstaltenden Synodalversammlung durch einen oder mehrere Vertreter aufzuforderen. Wir thun dies im Bewusstsein, dass der wohllöbliche Vorstand sowie die anderweitige Repräsentanz seiner Gemeinde die ganze Bedeutung, die segensreiche Tragweite des beabsichtigen Werkes zu würdigen weiss. Gewiss! wir zweifeln nicht, dass auch Sie sich der Gesammtheit in keiner Weise entziehen wollen und mit Freuden dazu beitragen werden, für das Heil derselben zu sorgen, für ihre Zukunft thätig zu sein! Wir sehen keinen anderen Weg ab, um dem fortschreitenden Zerfall kräftig und zugleich im Geiste unserer Religion, deren höchster Grundsatz die Brüderlichkeit ist, sowie im Geiste des Glaubens und der Gewissensfreiheit entgegen zutreten. Wir finden aber auch keinen einzigen triftigen Beweggrund, der von der Theilnahme an dieser Versammlung zurückhalten könnte. Wird sich doch in ihr jede Meinung, jede Richtung frei äussern können. Ja, nur der Friede ist aufrichtig, nur die Einheit eine wahrhafte, welche aus der Verständigung, aus der gegenseitigen Uebereinkunft entspringen, und sollten diese auch noch mit mancherlei Ringen und Kämpfen

JEWISH CHRONICLE ON SYNOD, 1869, AS QUOTED IN ALLGEMEINE ZEITUNG DES JUDENTHUMS.

FOREIGN COMMENTS ON THE SYNOD.

The Jewish Chronicle: A Synod should not endeavor to enforce its decisions upon unwilling communities. Religion must be spontaneous. Of what use then will a Synod be, it may be asked, if its conclusions cannot be enforced? In order to make the answer to this question clear the Jews as a whole are divided into three classes, namely (1) the materialistic and Christianized Jews, (2) the ultra-Orthodox and (3) the large body of Jews between these two extremes. This third class believes that the function of man is not to cut himself off from the world, but that he has duties to perform which demand that he come in contact with his fellow-beings and exert as beneficial an influence as possible upon his surroundings. These men feel that the confining walls of the Ghetto have been destroyed and the Jew is called upon to take part in European culture. Their duties are not only those of Jews but of men and citizens. The problem that faces them is how to reconcile their traditional faith with the activities new conditions have brought with them. To whom shall they turn for guidance? Each one to his own spiritual leader? Confusion alone will be the result.

This is where the proposed Synod will be of most use. A Synod composed of scholars, good and pious men should be established and should carefully consider those questions which new times and new needs produce. Such a body should deliberate and discuss

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verbunden sein. Alle diese Erwägungen legen wir dem wohllöblichem Vorstande an's Herz und ersuchen ihn, uns seinen Beschluss über Beschickung der Synodversammlung baldmöglichst, spätestens binnen vier Wochen, mitzutheilen, und zwar an die Adresse eines der ergebenst Unterzeichneten.

Mögen wir Alle, eingedenk dessen, was wir dem erhabenen Erbtheil unsrer Väter, der Religion der vier Jahrtausende schuldig sind; unter dem Segen Gottes das Werk der Vereinigung vor unsren Augen bald erwachsen sehen!

DR. L. ADLER, *Landrabbiner in Cassel.*
DR. L. PHILIPPSON, *emer. Rabbiner zu Bonn.*
DR. J. AUB, *Rabbiner der jüdischen Gemeinde in Berlin.*

[*Allgemeine Zeitung des Judenthums*, Feb. 9, 1869, No. 6, pp. 101-102.]

with mature reflection and announce its decisions with calmness and seriousness. Jews of the third class, above-mentioned, would hearken gladly to such a Synod. They would no longer be obliged to solve their religious problems for themselves individually, and their spiritual guides, when asked for advice, would not have to rely entirely upon the confusing code of religious duties. The decisions of the Synod would be at hand. It would not be necessary that all the decisions of the Synod be adopted immediately. Some might be accepted while others would be rejected according to the ideas and needs of the individual communities. But in time, all of them would become authoritative.

[*Allgemeine Zeitung des Judenthums*, No. 8, Feb. 23, 1869.]

PHILIPPSON. 1869.

THE APPROACHING SYNOD.

The period from the end of the last century to the present day is an important epoch in the history of the Jews. During it the Jews have gladly abandoned the physical and spiritual ghetto in which they have been so intolerantly confined. These new conditions have brought to the surface many conflicting questions concerning the daily material life of the Jew and the strict observance of religious precepts, ceremonies and forms. A new view of Judaism is being taken, bringing with it a change in the religious life, and causing to spring up a number of conflicting parties.

These questions clamoring for solution must be solved by the Jewish community as a whole. A true bettering of conditions can only be brought about by the union of the many, and such an union alone can be properly and justly authoritative.

The recent rabbinical convention at Cassel in considering conditions in Judaism recognized the fact, that improvement could be brought about only by concerted action, and this not only on the part of the rabbis but with the coöperation of Jewish scholars and, above all, representatives of the religious communities. The matter does not concern itself merely with theoretical and scientific discussions and decisions but with questions of real life influenced by a religious spirit. Remedial measures cannot be worked out and enforced by the professional men alone. They must be influenced

by men of practical life who, by their management of congregational affairs, are acquainted with the needs and tendencies of their communities.

[From *the Allgemeine Zeitung des Judenthums*, Jan. 26, 1869, No. 4, pp. 61-63.]

DR. B. WECHSLER, CHIEF-RABBI OF OLDENBURG, 1870.

"There was an idea that the Synod is a continuation of the Rabbinical Conferences. The task *seemed* the same. Yet both assemblies are in many important respects so different, that the Synod far from being an extension is in reality a limitation, straitening and concentration. . . . . There was much good, color and 'Richtung' in the Rabinical Conferences. What if from certain quarters a hue and cry was raised on account of their bold tendency; what if timid, anxious, cautious rabbis demonstratively left the Conference with éclat—there was no wavering, no vacillating, no empty phraseology. We could even rejoice in the bold, brilliant, sometimes eccentric, word of the sainted Holdheim, because only *honest, sincere men of scholarship* were together, who strove after an adjustment of their own religious conception, and who desired to learn one from the other, and then to give the results of transactions to the world. Whosoever reads the old reports of the Rabbinical Conferences will be surprised at the power of the free word among us, and if he draws a parallel with the reports of the Synod in Leipsic, he will notice quite a different spirit, and not always the *spirit of progress*. Did we go backwards? or did we in those days go too far? If we concede neither the one nor the other, then the explanation must be sought in the very nature of things. In a Synod, we (the rabbis) have lost, so far as freedom, candor and unrestrainedness are concerned. We have bound ourselves in our discussions and resolutions. The representatives of congregations, while often far in advance of their congregations, nevertheless in the resolutions keep the interest of their congregations more in mind than the cause of Judaism. Their first consideration is the welfare of the congregation; they do not want to endanger its peace and harmony. I need not tell what influence this must have on their vote. And the rabbis? They occupy a different position in a Synod. They stand, talk and vote, as it were, in the midst of their

congregation, some are even especially delegated. It is, therefore, only human that they have to take account of this fact, that they feel themselves more bound and straitened. A glance at the stenographical reports of the Leipsic Synod will convince every reader of the truth of this statement. From such mixed assemblies discussions of purely theoretical nature which presuppose *thorough* familiarity with biblical and post-biblical sources, or questions of science have to be excluded. Such was not the case in the Rabbinical Conferences. Things seemingly are better when it comes to the solution of practical questions. But there, too, we find semblance without truth. . . . . There are the questions of the revision of the dietary, Sabbath, and marriage laws. But the Synod approaches these questions with hands tied, which was not the case with the Conference of Rabbis, which solved such questions solely on the basis of theory, of theology, of scientific research. In the Synod this is different. Suppose the important question of the Sabbath and other ceremonies is to be decided. There are, as a matter of fact, a large number of 'Synodalen,' who without ever having put the questions, have long ago broken these laws. I do not reproach them on this account, certainly not, not even that they nevertheless are 'Synodalen.' Perhaps their hearts beat for all that just as warmly and even more so for the interests of Judaism. They are perhaps the best and most worthy men in their congregations. But to even discuss such questions in their presence would mean to sit in judgment, and to vote on their worthiness and religiosity. Suppose a committee should declare that the non-observance of certain ceremonies is a gross violation of the Jewish religion? How shall men vote who belong to the habitual violators of those laws? And suppose these very violators should talk and vote in the sense of the committee, I should consider this a scandal, a discredit to the whole Synod. Resolutions concerning the Sabbath, etc., no matter how, would be disturbers of the peace. And thus there are nowadays still so many men among us who deny right and life to criticism, who particularly in the case of biblical criticism, are always ready with a 'categorial imperative.' This fact ought to be a warning; Judaism can stand difference of opinions. But it cannot bear forced unity and compulsion in matters of creed and life. Should a Synod

attempt, no matter how gently, to exercise such force, it will dig its own grave." S.

[See Geiger's *Zeitschrift für Wissenschaft und Leben*, Vol. VIII, pp. 28-35.]

M. LAZARUS. FROM PRESIDENTIAL SPEECH AT THE OPENING OF THE SECOND SYNOD.

When there is a conflict in the individual congregation confined to a few, it is essential to be able to refer to the opinion of a great Synod chosen from many congregations and composed of many learned and honored men. The difficulty of every reform within Judaism is to establish an authority. This has always been the difficulty and will continue to be so for a long time to come; this difficulty we would not remove by any means hitherto known. All reform within Judaism must win the people, must appeal to conviction and must be conclusive. Authority does not exist. No one has it and no one should desire it. We do not speak here of that small party which, forsooth, declares that an absolute authority does exist, namely the written word which has only to be read in order to know what Judaism is and what it means. In reference to this we need not take counsel; this requires no speech; we might as well be dumb; one needs only to read what the Shulchan Aruch including Isserles and later commentators contains.[18]

[18] REDE ZUR ERÖFFNUNG DER ZWEITEN SYNODE, AUGSBURG, 1871.

Wo der Streit in der einzelnen Gemeinde ist, wo er meist auf wenig Köpfe, sagen wir es auch auf wenig Zungen gestellt ist, da kommt es gar wesentlich darauf an, dass man hinweisen kann auf eine grosse aus vielen Gemeinden gekommene, von vielen gelehrten und verehrten Männern beschickte Synode, von der man seine Meinung geholt hat. Das ist ja von jeher die Schwierigkeit jeder Reform innerhalb des Judenthums gewesen und wird es noch lange hin bleiben, eine Schwierigkeit, die wir wenigstens durch bisher bekannte Mittel nicht entfernen möchten, die Schwierigkeit nämlich, eine Autorität herzustellen. Alle Reform innerhalb des Judenthums ist verpflichtet, die Gemüther zu gewinnen, die Gesinnungen zu sich herüberzuziehen, die Ueberzeugungen zu pflanzen. Es gibt keine Autorität, Niemand hat sie und Niemand darf sie haben wollen; denn von jener kleinen Partei, welche etwa behauptet, es gebe eine absolute Autorität, nämlich die geschriebene; die geschriebene, welche man blos abzulesen brauche, um zu wissen, was Juden-

The communities and many of the gentlemen demand that the deliberations and transactions of the Synod be practical. Very well, what does "practical" mean? Gentlemen, in all things and especially in religion—the more ideal, the more practical. A man who has grain and wishes to turn it to good account in the most practical manner, will grind it into flour and bake bread of it. That is certainly practical. If I plant my corn and wait until the next year for it to grow, that is impractical. Gentlemen, he who is practical in such a manner can expect no harvest in the following year. The Synod has to concern itself not only with the small, pressing questions of the present, but must provide also for the real and true growth of ideas in Judaism which will confront us in the future. But, I admit, that he who plants all his corn relying entirely upon the future may go hungry for want of bread. Therefore, it becomes necessary that we have a care to think and work for the present, and at the same time see to it that not only small modifications and adjustments here and there be made but that great thoughts for the future be planted. We cannot set our ideal too high. Slight reforms will be introduced by each Synod but at the same time certain changes will be made and certain forms and traditions abolished. But, "Does the ploughman plough all the time to sow? Does he open and harrow his ground continually?" Isaiah xxviii: 24.) If we consider not merely the insignificant, if we think not of to-day alone, but of that which is great and eternal in our religion then we can certainly hope that the congregations will all the more willingly be guided by us.

It is usually said that a thing to be practical must at the same time be opportune, and in this case it is required that we know beforehand that the congregations will accept the Synod's results. But what we already know that the congregations will accept, the Synod has no need to teach. The task of the Synod is to pave the way for

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thum ist und was Judenthum heisst, von dieser Partei reden wir hier nicht; denn dazu braucht man Nichts zu berathen, dazu braucht man auch Nichts zu sprechen, dazu darf man stumm sein; man braucht blos mit den Augen zu lesen, was der Schulchan-Aruch herunter bis zum Rema und noch Späteren gedruckt enthält.

[*Verhandlungen der Zweiten Israelitischen Synode zu Augsburg*, p. 13. Berlin, 1873.]

the congregations, guiding and at the same time teaching them. We would be moving in the most vicious circle if we waited for the congregations to accept reforms and afterwards have us propose these very reforms, while our propositions ought to be really of such a character as to instruct the congregations.[19]

[19] Aber freilich, die Gemeinden verlangen und auch viele von den Herrn, die Berathung, die Verhandlungen müssten praktisch sein. Nun ja, was heisst "praktisch?" Meine Herren! In allen Dingen und in religiösen zumeist —je idealer, desto praktischer. Wer Getreide auf seinem Boden hat und recht praktisch es verwerthen will, der wird Mehl daraus mahlen und Brod backen, das ist gewiss praktisch. Vergleiche damit: Wenn ich Korn in die Erde lege und bis ins nächste Jahr auf Wachstum warte, das ist doch unpraktisch. Meine Herren! Wer so praktisch ist, der hat eben keine Ernte im nächsten Jahre zu erwarten. Die Synode hat nicht blos für das tägliche Brod der kleinen brennenden Fragen, sondern für das wirkliche und wahrhafte Wachsthum der Ideen im Judenthum zu sorgen, die künftig aufgehen sollen. Aber freilich, wer all sein Korn nur in die Erde legte, damit es wachse, und sich nur auf die Zukunft verliesse, könnte darüber verhungern, er hätte kein Brod zu essen. Daher handelt es sich darum, dass wir weise und wohl beachten, wie wir theils für die Gegenwart denken, für sie arbeiten, aber immer auch darauf bedacht seien, dass nicht bloss kleine Modificationen, kleine Einrichtungen hier und dort, sondern dass grosse Gedanken aufgepflanzt werden; nicht hoch genug können wir das Ziel uns stecken. Es handelt sich darum, dass immer kleine Reformen durchgeführt werden, auf jeder Synode; vollends aber gewisse, ganz bestimmte Einrichtungen modificirt, bestimmte einzelne Formen, bestimmte Ueberlieferungen abgestelt werden. Aber, "Welcher Pflüger pflügt jeglichen Tags, um zu säen, lockert wieder auf und glättet seinen Boden" (Jesaias 28, 24). Aber wenn wir nicht eben blos für das kleine sorgen, wenn wir nicht fortwährend blos an den Tag denken, sondern an das, was gross und ewig ist in unserer Religion, dass dieses hoch und heilig gehalten werde, dann haben wir allerdings auch zu hoffen, dass die Gemeinde uns besser folgt.

Dies ist der gewöhnliche Ausdruck auch für das Praktische, dass es opportun sei; dass man bereits weiss, die Gemeinde werde es auch annehmen. Allein das, wovon man bereits weiss dass es die Gemeinde annehmen werde, braucht die Synode nicht erst zu lehren; die Aufgabe der Synode ist es eben, lehrend mit ihren Gedanken den Gemeinden voranzugehen. Wir bewegen uns sonst in dem übelsten Cirkel, den es nur gibt, dass wir von der Gemeinde erwarten, sie werde die Reform annehmen, dann wollen wir sie vorschlagen, indess unsere Vorschläge doch das sind, was die Gemeinden belehren soll.

[*Ibid.*, p. 17.]

MISSION OF THE SYNOD.

(1) Since the days of its inception in hoary antiquity, Judaism has passed through many phases of development and in them has unfolded its inmost being more and more.

(2) A new and highly significant crisis has occurred in its history. The spirit of the true knowledge of God and of pure morality is filling more and more the consciousness of mankind and is impressing itself constantly on the life of the nations, on state and people, on art and science. Judaism joyfully recognizes in this phenomenon an approach to those aims which have at all times guided its course through history.

(3) The essence and mission of Judaism remain unchangeable in themselves, but the mighty change which is taking place constantly in the views of all mankind, and of the followers of Judaism in particular, as well as the entirely new position of the latter among the nations, has called forth an urgent necessity for reorganization of many of the forms of Judaism.

(4) Judaism from its inception always stood for knowledge and has likewise constantly premised and demanded harmony between thought, feeling and deed. Along this line it seeks courageously and confidently to effect the above-mentioned change. It follows only its innermost instincts when, with full esteem for the higher and eternal possessions of life and with due recognition and reverence for the past, guided by the results of earnest, scientific research, it strives to do away with antiquated and inappropriate customs and to forge ahead in consonance with the spirit of the times.

(5) The Synod aims to be the organ of this development. In it the living convictions and efforts of Judaism of to-day are to find decided expression. With clear purpose, it aims to bring about the result that the reorganization striven for during several decades should be as widely acceptable as possible and should be carried to a successful conclusion with due regard to the needs of all our coreligionists. It would protect the bond of unity, which twines about all our coreligionists, against disintegration, and would further with all its power the common higher interests in life and science.

(6) The Synod claims for its resolutions no other validity than

that which the force of truth, of sacred earnestness and of firm conviction imparts. It knows, however, that this power, the only one which should be effective in the realm of religion, is irresistible and must finally gain the victory in spite of all difficulties and obstructions.

(7) While the Synod seeks to meet the demands of the times, it is convinced of the fact that it is working for the maintenance of Judaism. Thus it feels itself in unison with the spirit of Judaism in its whole historical development, at one with all its coreligionists of whatever tendency, and hopes to bring about reconciliation not immediately, it is true, and not through the denial of convictions, but through the spirit of truth which, according to our old teachers is the essential condition of peace.

(8) The mission of the Synod is not to be confined to the above declarations. Considering the intimate relation existing between religious life and social and political conditions, it seems rather to the Synod to be a peremptory duty, that in the matters, which will come before it, fitting expression be given to the consciousness of relationship as regards the political and social standing of our coreligionists.[20]

[*Ibid.*, p. 253.]

[20](1) Das Judenthum hat seit seinem in die frühe Vorzeit hinaufreichenden Bestande verschiedene Phasen der Entwickelung durchlaufen und in denselben sein innerstes Wesen immer mehr entfaltet.

(2) Ein neuer, höchst bedeutungsvoller Wendepunkt ist in seiner Geschichte eingetreten. Der Geist der wahren Gotteserkenntniss und der reinen Sittlichkeit erfüllt immer mehr das Gesammtbewusstsein der Menschheit und prägt sich im Leben der Völker, im Staat und Bürgerthum, in Kunst und Wissenschaft immer deutlicher aus. Das Judenthum erkennt hierin mit Freuden eine Annäherung an die Ziele, die ihm auf seiner geschichtlichen Bahn zu allen Zeiten vorangeleuchtet haben.

(3) Wesen und Aufgabe des Judenthums bleiben an und für sich unveränderlich dieselben; der mächtige Umschwung jedoch, der in den Anschauungen der gesammten Menschheit und der Bekenner des Judenthums insbesondere sich unaufhaltsam vollzieht, sowie die völlig veränderte Stellung desselben inmitten der Völker, hat ein dringendes Bedürfniss der Neugestaltung vieler seiner Formen hervorgerufen.

(4) Das Judenthum hat von seinem Anbeginne auf Erkenntniss gedrungen und in gleicher Weise stets die Uebereinstimmung zwischen Gedanken, Gefühl und That vorausgesetzt und gefordert. In diesem Sinne sucht es muthig und zuversichtlich jene Umwandlung ins Werk zu setzen und folgt

EMIL G. HIRSCH, 1880.

"From certain quarters complaints are heard that there exists no norm and no rule within Judaism, and that in order to put an end to the arbitrariness of the individual it is high time to call a Synod,

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nur seinem innersten Grundtriebe, wenn es in voller Werthschätzung der von ihm bewahrten, höheren und ewigen Lebensgüter, mit aller Anerkennung und Ehrerbietung gegen die Vergangenheit nach den Ergebnissen ernster, wissenschaftlicher Forschung bestrebt ist, das Veraltete und Zweckwidrige zu beseitigen und sich im Geiste der neuen Zeit fortzubilden.

(5) Die Synode will ein Organ dieser Fortbildung sein. In ihr sollen die im heutigen Judenthum lebenden Ueberzeugungen und Bestrebungen ihren entschiedenen Ausdruck finden. Sie will mit klarem Bewusstsein dahin wirken, dass die im Judenthume seit mehreren Jahrzehnten angestrebte Umgestaltung von einem möglichst einheitlichen Geiste geleitet und mit möglichst gleicher Rücksicht auf die Bedürfnisse aller unserer Religionsgenossen zu einem gedeihlichen Ziele geführt werde. Sie will das Band der Einheit, welches die Religionsgenossen umschlingt, vor Lockerung bewahren und die gemeinsamen, höheren Interessen im Leben und Wissenschaft nach Kräften fördern.

(6) Die Synode nimmt für ihre Beschlüsse keine andere Geltung in Anspruch als diejenige, welche die Kraft der Wahrheit, des heiligen Ernstes und der festen Ueberzeugung verleiht; sie weiss aber dass diese Kraft, die einzige, welche im Gebiete der Religion wirken soll, eine unwiderstehliche ist, und zuletzt trotz aller Schwierigkeiten und Hemmnisse den Sieg erlangen muss.

(7) Indem die Synode den Anforderungen der Zeit nachzukommen strebt, hält sie sich davon versichert, dass sie für die Erhaltung des Judenthums wirkt. In dieser Weise fühlt sie sich eins mit dem Geiste des Judenthums in seiner ganzen geschichtlichen Entwickelung, eins mit allen ihren Religionsgenossen, welcher Richtung sie auch folgen mögen, und hofft ein Werk der Versöhnung zu stiften, freilich nicht für den nächsten Augenblick und nicht durch Verleugnung der Gesinnungen, sondern durch den Geist der Wahrheit, der, dem Ausspruche unserer alten Lehrer gemäss, die Grundbedingung des Friedens ist.

(8) Die Aufgabe der Synode soll durch die vorhergehende Erklärung nicht abgeschlossen sein. Bei dem innigen Zusammenhange zwischen dem religiösen Leben und den socialen und bürgerlichen Verhältnissen erscheint es vielmehr der Synode als unabweisliche Pflicht, in den an sie herantretenden Fällen dem Bewusstsein der Zusammengehörigkeit auch in Beziehung auf die bürgerliche und sociale Stellung der Religionsgenossen den angemessenen Ausdruck zu verleihen.

[*Ibid.*, p. 253.]

which once for all should decide all questions. Those who argue thus betray only ignorance of the Jewish spirit. Generally it is orthodoxy which cries for a Synod, although the code of Joseph Karo with the notes of Moses Isserles ought to be its norm. . . . . But also in our own camp the cry for a Synod is heard. I think the anarchy, which by advocates of a Synod is claimed to be rampant in Judaism, is greatly exaggerated. Which are the burning questions of the day, that are anxiously waiting for decision by a Synod? Perhaps the question of ritual? The German Rabbinical Conferences of 1844 to 1846 and of 1869 in Philadelphia have laid down the principles which guided the German and American authors of prayer-books in reform congregations to this day. Suppose a Synod should make a new prayer-book? Will all congregations introduce it? I doubt it. Hence we should simply have one more prayer-book. The prayer-book was never the bond uniting all Jewdom. The thought that we should pray in all synagogues according to one pattern (Schablone) is borrowed from Catholicism. Or is a new 'Eben Haëzer' needed for the regulation of the marital relations? The Philadelphia Conference has solved this question. Then remain the questions of *Sabbath* and acceptance of *Proselytes*. It is illusion to imagine that any resolutions of a Synod can heal the deep conflict betwen doctrine and life. While in political questions majorities decide, they are not decisive in matters of religion. Religious principles are not political rules, and cannot be settled by resolutions of a Synod. And how could a Synod enforce its decisions?" S.

[*Zeitgeist*, I, pp. 200-201, 1880.]

IBID., 1881.

"Granted that the opinion of individuals are subject to change. Are the opinions of the majority not subject to the same dangers? Majorities are recruited from individuals, and with the change of individual views follows a change of the views of the majority. The only means to check such changes in politics is the autocracy, and in religion an infallible papacy with a well-organized hierarchy. If majorities are in the right against minorities, why do the Jews not embrace Christianity, Islamism or Buddhism, the latter being nu-

merically the strongest religious community? We are astonished that such argument should be used before a Jewish audience. The whole Jewish history is a protest against these views. Majority of votes is no criterion for the truth of a religious conviction. For this truth our ancestors have bled and suffered. A Synod of 400 priests of Baal on Mount Carmel and only one Elijah, this is the picture of the inner history of Judaism. 'Not because ye are numerically more than other nations' is the parole of Israel's messianic mission. Why was Maimonides censured by his opponent from Posquières? Because Maimonides attempted to substitute as authority for the Jews a code of laws instead of the opinions of individual teachers of law. All the catechisms and prayer-books agree in the essential principles of Judaism. And liturgy and Minhagim were at no time uniform among us. Or shall the Synod impose on Judaism a new Dogmatic? Shall a Synod by a majority vote decide, whether in the matter of biblical criticism, Wellhausen or Delitzsch, Popper or Curtis, Geiger or Graetz, Kohler or Wise, are in the right? And suppose the Synod decides, will one of the opposing parties penitentially cease to express his scientific convictions? If so, the Synod will create hypocrites. And, are hypocrites fit to occupy Jewish pulpits? The Synod can only do harm. Instead of furthering unity it will destroy the bond of union. Where there is much light there must be much shade. Individualism may also have its disadvantages. But who will not prefer the many-colored coat of Joseph to the uniform of the soldier or to the stripes of the convict?" S.

[*Zeitgeist*, II, pp. 256-7, Aug. 4, 1881.]

WISE. 1881.

THE SYNOD.

MR. PRESIDENT AND GENTLEMEN:

In our last annual meeting a committee was appointed to take into consideration the advisability of convening and organizing a Synod of American Rabbis to be a permanent body. Having been named chairman of that committee, I wrote to my colleagues to solicit their opinions and suggestions on the subject, and received an undecided answer from one and a negative answer from the other.

The former being a private letter, I mention no name; the latter was by the Rev. James K. Gutheim, of New Orleans, who declares himself averse to the Synod, and gives his reasons therefor.

It is evident, therefore, that I cannot report on the subject, and must ask further time unless the committee be discharged. I cannot report, because my personal opinion is not the opinion of a committee, and I am in favor of establishing and upholding a Synod of American Rabbis. All I can do, and with your permission will do, is to give expression to some of the motives which actuated me in forming this decision.

WHAT A SYNOD IS.

A Synod is a perpetual body, consisting of all the officiating rabbis and professors of the college or colleges, who, by a vote of their respective congregations or by their own declaration, have attached themselves to that body.

The Synod meets at stated times and places, discusses and decides, by a vote of the majority of the members present, all questions concerning Judaism, brought before it by any of its members or by any congregation; and is guided in its discussions and decisions by a code of laws which it enacts and from time to time may amend for its own government.

The decisions of the Synod are advisory to the congregations and individuals, and binding upon the members of the Synod; *i. e.,* the Synod does not interfere with the autonomy of the congregations or the conscience of the individual, but must demand the full support of its own members.

These three brief paragraphs contain the outlines of what I think a Synod signifies. In organizing the same we can start only from the *statu quo.* Whoever is now the elected rabbi of a congregation must be accepted as such, because we have no right and no means to go behind the returns of the congregation. The Synod in existence might enact qualification laws for its own protection as well as for the protection of the congregations against unauthorized persons. If there are now any rabbis engaged in our country who are not entitled to that office and its functions, it is an evil which cannot be remedied now, although a Synod might check it for the future. I do not wish to be understood as personally objecting to any rabbi in

office now anywhere in this country, for, as far as my knowledge of them goes, they are honorable men whose sincerity and piety I have no right and no cause to doubt.

It is evident also that a Synod can only resolve and decide and not execute, as none of us, being Israelites and American citizens, would be willing to submit to ecclesiastical coercion or to enforce it upon others. Freedom is the foundation of Judaism. Neither religion nor morals can be enforced, for if enforced they are religion and morals no longer. Freedom, however, includes not independence from reason, whatever reason dictates is self-enforcing; it includes not the self-delusion that I, the individual, know better than all my associates, for all know better than one; nor does it include licentiousness, that I must be permitted to do as I please, for society has interests and duties apart from the individual. Therefore, it interferes with no man's freedom if he submits his views and propositions to the judgment of many, and submits to the decision of the majority if he cannot convince them to think like him. Obedience to law is no invasion of liberty. Submission to argument curtails nobody's freedom. To be governed by the will of the majority is the safeguard of all free institutions, and the right to oppose it by legitimate argument is inalienable.

It is no violation of principle, no transgression against reason, and no sin against Judaism to submit to the arguments and decisions of the majority; but it is a necessity now, as it was in the days of the Tana'im, that a Synod should insist upon that one point, *viz.*, that every one of its members should be bound in conscience and honor to sustain the body by not acting contrary to its resolutions and decisions. Without this point a Synod is a mere debating society, which we need not establish, as we can do all the debating in this Literary Association. A member can resign from the Synod or be suspended for non-compliance with its regulations and the Synod remain intact; but a Synod, as little as a State society, association or lodge, cannot remain intact, if the will of its individual members is superior to that of the majority. Two sovereign wills cannot govern simultaneously. None can imagine a Synod without the obligation of its members not to act contrary to its decisions.

I need not, in presence of all these learned gentlemen, point to the

history of Israel to substantiate my arguments. All of them know the Bible, Talmud, Josephus and the other records of Synods, up to that of Leipzig, and so all of them must confess that the institution is historically Jewish, and was always sustained by the majority rule as established by the Tana'im. (אחרי רבים להטות) I only beg permission to state, because it is recorded nowhere, that as long as there were Synods in any form, Judaism was a living, progressive, and animating system of development to higher conditions. When the Synods ceased the iron scepter of casuistics was taken up and laid in chains, the free-born daughter of heaven. Thousands of stereotyped law paragraphs replaced the free spirit and free word. History argues in my favor, centuries of experience plead my cause. I submit the case to the judges.

THE NECESSITY OF A SYNOD NOW.

I have yet to say a few more words in defense of my humble opinion, just a few words in reply to the legitimate question. "Is a Synod necessary now and here?" I suppose that everybody present knows that up to this century all Israel has been guided by the Bible and the Rabbinical code. These were the center of our union, regulating all our congregational affairs and relations, also the affairs and relations of the Jew as such. All questions of doctrine or discipline, of duty or observance were decided according to the code, and there was unity. With the exception of the few Karaites and Kabbalists, there was uniformity among all Jews in all parts of the world. The variety of local customs (מנהגים) was no disturbing element, because all men of letters considered it non-essential. Any rabbi was enabled to decide any ordinary question for his flock by the code, and every man's conscience was satisfied with the information that the Law so ordained it.

This center of union is destroyed. The Rabbinical code has lost its authority. The Bible—well, I need not review the various standpoints occupied by its expounders, as you know the public secret. The doctrine! Alas! I have a recollection of one hundred and twelve catechisms and forty-two books of worship, which have but that one element in common, that they are all printed. The union of Israel is destroyed, the negation has remained, and negation is not

religion. We are not Christians, not Mohammedans, not heathens, not atheists, not deists, that is the element we have in common. Rabbi A cannot tell how Rabbi B will decide this or that question, because he is guided by his individual standpoint. No congregation can predict what doctrine its preacher will advance next, because a man's opinions are liable to change. No individual can tell what one must actually believe or do to live up to his faith as a conscientious Jew, without being contradicted by his neighbor. It is useless to hide it, we have landed in chaos. We have as many sects as congregations, the number almost as many as there are individuals. That we are so in theory only, and not also in fact, has its cause in the indestructible religious consciousness of our people, in the inherited conscience and faith of the non-speculative class, the unconscious and indomitable spirit of piety peculiar to the Jew. None can tell how long this "merit of the fathers" (זכות אבות) will hold out; hence none can tell how long under the influence of these dissolving agencies Judaism will last in this country. At present no rabbi can decide any question without being contradicted by some one of his colleagues, no individual can be sure of his opinion; hence I opine none will undertake to decide the above question without contradiction.

Right here two questions arise, *viz.*, Are the Israelites of this country willing that their descendants should give up Judaism? Is it the rabbi's duty to conserve Judaism or to accommodate his flock to the so-called spirit of the age? The first question, methinks, is answered practically and decidedly by the works of this generation. Here are your gorgeous temples in all parts of the country, your asylums, hospitals, societies, and funds; here is the Union of American Hebrew Congregations, the College with a Jewish faculty; here are your congregations; all of which have been established and are supported at an enormous expense, with wonderful enthusiasm and sacrifices, by the present generation. Hence the Israelites of this country are evidently not willing that our descendants should desert Judaism. There are undoubtedly a number of latitudinarians and servants of indifferentism among our people; but the vast majority reply in a mighty chorus, we and our descendants shall be faithful to

the God and the cause of Israel. On every occasion they repeat the exclamation of the fathers on Mount Carmel:

ה' הוא האלהים

Is not the rabbi a Jew? is the question with which we reply to our second question. If a Jew he is, it must be his sincere desire to conserve Judaism. It must be his first and most solemn duty, for he is appointed a shepherd in Israel; and none doubts that this is the first object in the mind of every rabbi in Israel. Necessity compels them to harmonize the dicta of Judaism with the pressing demands of the age, to conciliate the teachings of Israel with the spirit of this progressive generation and country. They yield in order to win, they abolish in order to conserve, they cut off the dead limbs in order to rejuvenate the tree. The intention is excellent, the work is efficient, but it threatens disintegration and dissolution; because it is the one man's work, it lacks the caution and circumspection of collective wisdom, the maturity of united deliberation, the unity which grows out of plurality.

Therefore, there can be no doubt that every rabbi must have proposed to himself the question, How shall the threatened evil be remedied? None of us alone can do this, that is certain; perhaps all of us united with the help of God can accomplish it. The ancient authority which has kept us up and together is no more; we must establish a new central authority to give force and consistency to the sacred cause for which we live, direction and weight to our labors, unity and harmony to our exertions in behalf of Israel; to conserve and elevate, to protect and support one another, to bring law and order out of this chaos; and all Israel shall know and be sure that there is a positive Judaism, which is taught and expounded alike by all the teachers of our faith.

כי יש אלהים שופטים בארץ

I have failed to discover another central authority for us in this democratic country besides the Synod on strictly Jewish principles. I can think of no other remedy to meet the evil, no more rational project to reach the proper end. Every honest man not captivated by self-delusion must be willing to submit his opinions to many of

his compeers. Every man of practical reason must feel satisfied that the decision of a majority is a safer guide than that of one in all practical matters. Therefore, I am in favor of a Synod, although I have no right to make an official report, and can offer you only a notion of my own.

The following is the letter of the Rev. Dr. James K. Gutheim referred to above:

NEW ORLEANS, March 25, 1881.

THE REV. DR. I. M. WISE,

Chairman of Committee on Synod:

Reverend and Dear Sir:—Though late, I trust it is yet time to communicate to you my views concerning the advisability of convening a Synod. I did not think the matter so pressing, as the meeting at which the subject is to be considered does not take place until July. Hence the delay in my answer.

I understand under "Synod" an assembly of theologians to deliberate on religious matters and decide on questions of doctrine and practice. Such an assembly must be invested with power to enforce its decrees. Whence shall a Jewish Synod derive this power?

The Synhedrin employed the חרם, to coerce obedience. The only notable Synod held in the Middle Ages was that of ר׳ גרשם, when the חרם was also used to insure compliance with its decrees. In our day excommunication has lost its force. It is neither desired by the religious authorities to impose it, nor are the people willing to respect it. Under these circumstances a Synod would be powerless to command compliance with its rulings and orders.

The consequence of this non-compliance would be a pronounced schism in Judaism. Hitherto in spite of the existing different shades of opinion and variations of practice, a schism has been avoided. While at present Judaism presents various schools of so-called Orthodoxy and Reform, ranged under one banner, there would be added heretics and sects, and the one תורה be split into many תורות.

Moreover, the difficulty of laying down precise definitions of doctrinal points must not be lightly treated. What will become of the diverging views entertained and expressed by prominent rabbis of

the reformed school concerning the fundamental doctrines of Judaism, the idea of God, of Revelation, of Immortality? The now serried ranks would separate, and, so far from effecting uniformity, a disintegrated Judaism would be the result.

For these and many other weighty reasons, which I might advance, I hold that the creation of a Synod is impracticable, inexpedient, and hence inadvisable.

I have the honor to be yours respectfully,

JAMES K. GUTHEIM.

[A paper read by Isaac M. Wise before the Rabbinical Literary Association, Chicago, July, 1881. From *The American Israelite*, October 21, 1881, Vol. 28, page 132.]

SAMUEL HIRSCH, 1881.

Dr. I. M. Wise publishes now, after more than three months, his lecture on the Synod, which was delivered in the Rabbinical Literary Association. But he does not inform his readers that he concluded his address with the words, that in the name of the Rabbinical Association a resolution favoring the Synod should be offered the following day before the Council of the Union of American Hebrew Congregation. It was this concluding passage which prompted my violent opposition. Among the assembled rabbis were very few who had the courage to oppose Dr. Wise publicly. Without my vehemence this resolution most likely would have passed. I think that in a Synod only experts should be entitled to a seat and to a vote. Why then bind the minority against their well-grounded opinions by the arbitrary vote of the majority? The Rabbinical Conferences in Braunschweig 1844, in Frankfurt 1845, in Breslau 1846, in Philadelphia 1869 never dreamt of doing violence to the convictions of the minority. Call a Synod! The sooner the better. Let it dictate. But what I request of the gentlemen of the Synod is this: Talk what you please, resolve what you please, only say it in your own name, and not in the name of Judaism. S.

[*Zeitgeist*, Nov. 10, 1881, Vol. II, pp. 368-369.]

K. KOHLER, 1882.

"A Synod is not our 'Popanz.' No majority of votes can foist upon us dogmas, which Judaism as a religious community never accepted. May five hundred ever so solemnly proclaim their belief in the authenticity of the books of Moses, my No has to-day more weight than their Yes by a majority of five hundred votes, and not I have to fear the excommunication, but they who would excommunicate. For the curse of excommunication by the public opinion of all thinking men will fall upon their heads. What could a Synod representing American Judaism in its totality resolve or effect? Could it again enforce the generally neglected dietary and purity laws, which Mosaism had transferred from the priesthood to the whole people, even with the rabbinical additions to the same, as some short-sighted Romanticists demand it? Just try it, to put the old yoke on Jewry of to-day, to make slaughter- and bath-houses adjuncts of the congregation, to make policemen of the rabbis and see whether you will succeed. Or, do they really and in all seriousness believe that by means of a resolution of a Synod the historical Sabbath can be restored to its pristine sacred dignity, that banks, manufacturing establishments, retail stores and offices will be closed on the Sabbath, and young and old will be driven into the synagogue? A Synod is too impotent to enforce its resolutions. Only on the basis of radical reform can a Synod have an object. Such a Synod would at the outset have to make the following declaration: Old, Mosaic Rabbinical Judaism of Legalism, finding itself in a state of dissolution, the whole ceremonial system being bankrupt, our whole 'Weltanschauung' being incompatible with the five books of Moses, which are recited every Sabbath as the word of God, we must renew, strengthen and clarify our religious life, thought and feeling on the basis of Prophetical Judaism, a Judaism that strives after the Messianic goal. Only such a Synod I favored a year ago in course of conversation, not, however, one, in which ignorance and lack of clearness in conjunction with a majority of votes would form the decisive factors, and would dominate. But the people must first be

prepared for this work by means of discussions of long years. Competent men must first accomplish the fundamental labors, before such a Reform-Synod could be called. Only no sweetish sentimentalism, where holy prophetical earnestness is needed. Bread is wanted, not sugar, wherewith to catch simpletons. A thousand times better is an effervescent servant of truth, whom I am bound to respect, even though I cannot agree with him, than a time-serving hypocrite, who turns whichever way the wind blows. I prefer even the impulsive dare-devils to the smart calculating wiseacres, who want others to burn their fingers and pull for them the chestnuts out of the fire. In a word, we need men of courage and energy for serious work, and not for the sake of playing hide and seek. Then and then only, it will be time to think of a Synod." S.

[*Zeitgeist*, Vol. III, p. 24, January 19, 1882.]

THE JEWISH SYNOD.

(Paper read before the Central Conference of American Rabbis at Buffalo, N. Y., July 4, 1900.)

By RABBI H. G. ENELOW, D. D.

"Institutions," according to a recent American writer, "are the warp and a good part of the woof of human history; events have filled out the design and formed most of its brilliant patches of color." The same author furthermore defines an institution, historically speaking, as "a usage, a habit of human action, made up of a multitude of similar acts repeated on innumerable occasions by many men through a considerable period of time."[1] The institution which I have this day the exceptional privilege of presenting to you, certainly comes within the scope of this definition. No matter what our individual opinions may be concerning the resto-

[1] Edward P. Cheyne, *Recent Writing on English History, The International Monthly*, I, p. 400.

ration of the Jewish Synod in this country—a plan which, as you know, has had its champions—we cannot deny the fact that the threads of the Synod have run through the entire historical texture of Israel. These threads it is now my task to point out to you—making my exhibition as brief as possible[2]—that you may judge for yourselves as to whether or not the Synod might, historically speaking, be styled a Jewish institution.

I.

Synod is the Greek name for an association of men assembled for common deliberation; specifically, it is applied to ecclesiastical deliberative assemblies, stated or special, local or general. The Latins called such assemblies Councils.[3] The first association, then, which may fairly demand our attention in a survey of the Jewish Synod, is the Council of Elders. This institution cannot be accounted in any way peculiar to Israel alone. On the contrary, we find it prominent in the annals of all ancient peoples, no matter what their stage of civilization. The Council of Elders, it may be said, is the primal germ of government, both economic and political, interior and exterior; it is the alpha in the vocabulary of sociality. What created it? Necessity. The necessity, namely, which frequently arose among several tribes dwelling in close contiguity of taking counsel together on subjects of common concern, particularly in seasons of common danger or distress. At such deliberations each tribe was represented by its leading men, its elders, whose prestige was sure to capture the consent of the masses. "And out of such Conferences," as Robertson Smith has summed it up, "arose the senates of the elders found in the ancient states of Semitic and Aryan antiquity alike."[4]

How, then, was it in Jewish antiquity? There is no telling what the exact relations were among the several tribes, but this we know

[2] The exposition, the arguments, and the authorities are reduced to a minimum in this paper, which is a summary of a larger essay on the same subject by the present writer.

[3] Cf. *Standard Dictionary.*

[4] *Religion of the Semites,* Rev. ed., p. 33; cf. Herbert Spencer, *Principles of Sociology,* Vol. I, p. 520 ff.

full well that their medium of intercourse and association on occasions of general import were the Elders (Zeqenim). Nay, more; not alone were the Elders the vicegerents of the people, but they were also regarded as the collective substitute of the people, as the summary of the latter, as it were, its embodiment. For this reason, no doubt, the elders, on our first acquaintance with them, aside from serving as intermediaries between Moses and the people,[5] also accompany the prophet in his interview with Pharaoh, as representatives of their tribes, and when the monarch devises punishment for the Israelites because of their delinquencies, the thrashing, quite naturally, is administered to none but the Elders.[6] This certainly was rather unenviable; but, in return, the *zeqenim* did duty as synonyms of the whole nation on many a more pleasant and flattering occasion. All these events I cannot recount here, but a few instances must suffice: the promise of the Elders to abide by the Divine Covenant, for instance, is as good as the promise of the whole people;[7] when Jephthah is about to be chosen judge, the Elders of Gilead are delegated to bring him home;[8] the introduction of royalty is preceded by a convention of the Elders at Ramah;[9] when David is in temporary exile, during the rebellion of Absalom, the appeal for his return made by the Elders is alluded to as the will of "all the men of Judah";[10] at the dedication of the Solomonic temple, the Elders take a leading part in the festive ceremonies;[11] when King Josiah contemplates his religious reforms and the introduction of the Book of the Covenant, the Elders of Judah and of Jerusalem, the national representatives, that is to say, and the local, have the benefit of a preliminary reading and the privilege, mayhap, of approval;[12] the revolution in the days of Rehoboam ensues upon the king's rejec-

[5] Ex. V: 6-21.
[6] *Ibid.*, III: 16 ff, VI: 27.
[7] Ex. IV: 29-30; XIX: 7, 8; Jos. XXIII: 2; XXIV: 1.
[8] Ju. XI: 5.
[9] 1 Sam. VIII: 4; in this chapter the interchange of the terms "the elders" (v. 4) and "the people" (vv. 7, 10, 19, 21) and the "the men of Israel" (v. 22) is to be noted.
[10] 2 Sam. XIX: 12, 15.
[11] 1 Kings VIII: 1 ff.
[12] 2 Kings XXIII: 1.

tion of the reforms suggested by the people's representatives (characteristically styled "the congregation of Israel" and "the people");[13] in the reign of Ahab, the Elders, on a noted occasion, subvert the royal policy of peaceful submission to the bullying monarch of Syria.[14] And thus you may run through the entire domain of biblical literature: from entrance to exit you encounter the Elders, from Moses to Ezra.[15] The time when they began to organize into close local and national senates[16] is, of course, unknown, even as the number of the latter is indefinite.[17] But it is quite probable that out of the larger number of Elders a narrower circle was selected to serve both as *Shophetim* and as *Shoterim,* as judiciary and executive officials.[18] This much, at any rate, is clear: the Elders composed the first representative organism of Israel—they guided and governed the community; they were accredited with its merits and its misdeeds; they sought atonement for it by offering the communal piacula,[19] so that when the prophet Ezekiel wished to depict the general religious decadence of his contemporaries, the metaphor he employed was the degeneracy of the Elders.[20]

II.

From the Elders as the representative body of the people emerges the Great Synod (*Keneseth Haggedolah*). The mention of this title, no doubt, will remind you of the great storm of controversy which raged about it in the second half of this century; no doubt it will occur to you that Kuenen has written a long and learned

[13] 1 Kings XII.

[14] *Ibid.,* XX: 7.

[15] Ezr. V: 5, 9; VI: 7, 14; X: 8.

[16] For local elders cf. Jos. XX: 4; Jg. VIII: 14; Ruth IV: 2; 1 Sam. XVI: 4; 1 Kings XXI: 8, etc. In the Deuteronomic legislation the reference is usually to local elders (Dt. XIX: 12; XXI: 2-4, 6, 19 ff, etc.).

[17] Seventy is the proximate number frequently occurring. Cf. Dt. XXIV: 1; Nu. XI: 16; Ju. VIII: 14; Ez. VIII: 11.

[18] Dt. 18; cf. Schuerer, *Geschichte d. jüd. Volkes,* 3 ed., II, p. 176.

[19] Ex. XVIII: 12; Lev. IV: 13 ff; Dt. XXI: 4; cf. T. B. Snh. 13b; Robertson Smith, *op. cit.,* p. 417.

[20] Ez. VIII: 11.

essay to prove that the Great Synod, to use a homely Hebrew phrase, *lo haya welo nibhra,* never existed;[21] you will be reminded, also, of the rough and ready dictum with which Wellhausen has banished this institution from the world of reality: "an exegetical mythus having its foundation on the narrative of Nehemiah VIII: 10."[22] Nor, indeed, are these two scholars alone in their negation of the historicity of the Great Synod. In fact, the latter-day critique of this institution was instigated by a Jewish savant, Nahman Krochmal.[23] From Krochmal, who opened up the era of scepticism towards the Great Synod, to this day, there have been numerous students, both Jews and Gentiles, who have more or less disrupted its traditional ground-work, until, under the critical hammers of Kuenen and Wellhausen, its basal stone seemed to be hopelessly splintered.

Now, I am both too regardful of your patience and too sensible of the inverse limits of my topic and my time, to lead you at present into the labyrinth of controversy concerning the Great Synod. You will certainly deem it both more pleasing and proper if I confine myself here solely to the statement of my view of the subject, leaving for a more leisurely occasion its detailed defense.

The Great Synod, then, to my judgment, presents the second stage in the evolution of the Jewish representative organism. Both the time and the causes of its appearance seem to me very clear, and the talmudic reports alluding to it, though at times tangled, are yet, on the whole, quite congruous. When was the Great Synod formed? In the days of the Restoration: Ezra laid its foundation, and Nehemiah set up the gates of it. How so? The relations of the time and the records of tradition warrant this assumption. The heroes of the Restoration, you will readily grant, were possessed by a two-fold ambition. None need hypothesize upon the exact nature of the latter; we find it finely described in the royal edict with which Ezra was equipped: "And thou, Ezra, after the wisdom of thy God that is in thine hand, (*first*) appoint magistrates and judges, which may

[21] *Over de mannen der groote Synagoge,* German translation in *Gesam. Abhandlungen,* pp. 125-160.

[22] *Enc. Brit., Israel,* Vol. XIII, p. 419, note 2.

[23] See *More Nebokhe Hazzeman,* chap. XI.

judge all the people, all such as know the laws of thy God, and (*secondly*) teach ye him that knoweth them not."[24] Here we have the twofold program of the Restoration: educational and executive, the setting up of an efficient administrative order, and the intellectual improvement of the people. Without the latter, moreover, the former could be of no avail, seeing that the Torah, which was to regulate the new life, could be neither observed nor enforced unless it were commonly understood. What, then, was Ezra's course? Noting the stupendous ignorance prevalent among the people, he, at the outset, let go of all administrative ambitions and devoted himself chiefly to the pursuit of intellectual rejuvenescence. He made himself neither prince nor priest, posts either of which he might easily have arrogated;[25] but, in the phraseology of tradition, he became a new Shaphan, a new Moses[26]—he became a *Sopher*, Scribe. As such he not only produced copies of the Torah—the new constitution, the new "map of life"—but he also instructed the people in it, interpreted it, popularized it. Alone? Certainly not; he required assistants, apostles. These he found among the contemporary men of letters—the school represented in the Bible by the Wisdom literature—among the *Hakhamim*.[27] Quite a number of the Sages, no doubt, turned Scribes, and thus Ezra was surrounded by a group of men pursuing with him one part of his original program: the educational. The administrative side of it, beyond a doubt, meantime suffered corresponding neglect, and never did it achieve any success until Nehemiah, the man of action, appeared on the scene. This happened after Ezra had, so to say, for fifteen years (485-444 B. C.) conducted his preparatory school. Then commenced the organizing activity, practical reform, obedience to the Torah. The alliance, in brief, of Ezra and Nehemiah, the intermarriage of theory and of action, engendered the Restoration.

"Then they that feared the Lord," records a contemporary

[24] Ezr. VII: 25.

[25] Cf. *Cant. Rab.* V: 4.

[26] Cf. *Siphre* to *Dt., Pisqua* 48; *Qohel. Rab.* I: 8; T. B. *Snh.* 21b, and parallel passages.

[27] Cf. Cheyne, Jewish Religious Life after the Exile, p. 216 ff.

prophet, "spake one with another: and the Lord hearkened, and heard, and a book of remembrance was written before Him, for them that feared the Lord, and that thought upon His name."[28] A general betterment of conditions was manifest; in lieu of the laxity and the lethargy which the prophets of the preceding age had to bewail, great vitality now was regnant, attempts at organization—union. The *Sopherim* themselves, no doubt, had in good oriental fashion, formed a council of their own, a guild, but when Nehemiah arrived and began in good earnest the promulgation of reforms, this is what occurred: the people at large resolved to select a representative body of men to bear the burden and the business of the government, seeing, no doubt, how futile the endeavor was to settle gravely momentous matters at the open-air mass meetings which Nehemiah was accustomed to convoke.[29] And this delegated body, you can imagine, no longer could consist of the old-time representatives alone, the tribal aristocrats, the Elders, but it needs must admit a new element that both deserved and demanded representation, a new factor thenceforth potent in the policy of the people, the Sages, the Scribes.[30] This corporation, personifying the resultant of the people's best theoretical and practical forces, was taxed with promoting the future of the Restoration: and this, I take it, was the genesis of the Great Synod.

Our knowledge of the spiritual activity of the Great Synod is not mere guesswork. The problem relating to its composition and its mode of operation is too complex and irrelevant to our present inquiry;[31] its activity is what interests us here, its rôle in Jewish history. And this we find summed up in the Mishnah. The object of the *Keneseth* was to "raise up many disciples," to "make a fence round the law," and to establish a careful judiciary system.[32] It would be interesting to know what part the Synod played in the politics of the nation, but thereof hardly any records have been pre-

[28] Mal. III: 16; cf. Ezr. IX: 4, X: 3; Cheyne, *op. cit.*, p. 62 ff.

[29] Neh. X: 28 ff.

[30] Neh. IX: 38, X: 1 ff; cf. T. B. *Meg.* 17b; T. J. *Ber.* II: 4 (ed. Krot. 4d); *Meg.* I: 5 (70d).

[31] For a good summary of the problem first mentioned, see Taylor, *Pirqe Aboth*, 2 ed., p. 110 f.

[32] *Aboth* I: 1.

served. This much, however, is certain, that spiritually its task lay in *the elucidation and the transmission of the Torah,* as well as in *the adaptation of the latter to the new environment.* Its business was so to interpret, to clarify, to expand the old law that reply might be readily found in it to the queries of the new life—a programme destined to remain the standard of all subsequent Jewish Synods.

Numerous reforms which emanated from the Great Synod go in tradition now by the name of Ezra, and now by that of the Elders, and now again by the name of the Scribes. But this is, no doubt, a simple case of synecdoche: Ezra, as the founder of the Synod, was often treated as its eponym, as were occasionally the Scribes also, who as specialists in the theory undoubtedly suggested those innovations which the whole Synod ratified, and which its lay members, the Elders, eventually enforced in practice.[33] Aside from the purely intellectual reforms for which the Synod became responsible —such as certain exegetical and textual emendations in the Law, the introduction of the style of the sages (*Leshon Hakhamim*) for use in the popular discourse, and of the new script (*Kethabh Ashuri*)[34]—and aside, also, from its reforms in the administrative and judicial system, it took an important part in the formation of the new liturgy. Of course, I need not pause here to dwell on the metamorphosis of the liturgy after the Restoration; to remind you of the fact that it is then that fixed forms of prayer were adopted, regular music was introduced at the services, and the Psalms were largely collected to serve as a congregational hymn-book; well may I withhold my little candle of archæologic knowledge from where the sun of erudition shines. I wish to point out, however, that the Great Synod, no doubt, applied itself to this task of establishing the liturgy. Tradition credits it distinctly with a great deal of such work, as the authorship of the Tephilah and similar prayers of Sanctification and Separation (*Qedushoth* and *Habdaloth*), the introduction of the Hallel, the institution of the Megillah reading.[35] All this

[33] Weiss separates the *Sopherim* and the *Keneseth* into two bodies, which seems unnecessary. Cf. *Dôr Dôr Wedoreshow* (2 ed.) I, p. 65.

[34] Cf. T. B. *Snh.* 21b; *Zbah.* 62a.

[35] Cf. *Siphre* to Dt., *Pisqa* 343; T. B. *Meg.* 2a, 17b; *Ber.* 33a; *Yalqut,* Kings, § 192; Weiss, *op. cit.,* I, p. 62.

work, of course, cannot have been accomplished in a trice, neither in one age nor in two; but it was, no doubt, the product of the several generations comprised in the history of the Great Synod.

It would be incongruous with the whole history of the Great Synod, if its termination had offered no ground for controversy. But it has. The statement in the Mishnah that Simeon, the Just, was one of the last members of the *Keneseth*[36] has naturally caused speculation as to the identity of the man in question. Some identify him with Simeon I,[37] others with Simeon II,[38] and still others with Simeon III.[39] It is safe to assume, however, that the Mishnah has reference to Simeon I, in whose lifetime, owing to the detrimental invasion of Ptolemy Lagos (320 B. C.), the Synod may have fallen into temporary abeyance. Who knows but what its name even, *Keneseth Haggedolah,* may in that period of trouble and tragedy, have been lost and neglected? As the people's representative institution, however, it survived, you may be sure, for many more years, bearing the interchangeable title of the Council of Scribes, or of Sages, or again, of Elders. In fact, its traces may be found in the period bordering on the Mishnah, and certainly in the Maccabean era,[40] in which latter period one of its pre-eminent products, I should say, was the thirteenth doxology of the *Tephilah,* in which side by side with such genuine Maccabean terms as *Zaddiqim* and *Hasidim,* allusion is found to the *Zeqenim* of Israel and the remnant of the *Sopherim.*[41]

The two salient features to remember, however, are these: that the Great Synod was called into existence by an obvious necessity—the need of a central organ of administration at a most critical juncture of Jewish history—and that its activity chiefly found expres-

[36] *Aboth,* I: 1, 2.

[37] Weiss, *op. cit.,* I, p. 80; Graetz, *Geschichte,* vol. 2, II (2 ed.), p. 235.

[38] Krochmal, *op. cit.* (3 ed.), p. 107.

[39] Loew, *Ges. Schriften,* I, p. 411.

[40] Cf. Krauss, *Jew. Quar. Rev.,* Vol. X, p. 364 ff. I *Mac.* XIV: 23, may have specific reference to the Great Synod. (Cf. Jost, *Gesch. d. Judentums und seiner Sekten,* I, p. 91, *note.*)

[41] The original nucleus of this prayer may be older. (Cf. Dalman, *Die Worte Jesu,* p. 299f.) Zunz's date appears unwarranted by the context (*Gott. Vortr.,* 2 ed., p. 381). See Hamburger, *Real-Encyclop.,* Vol. II, p. 1096.

sion in the continuance of tradition, in the interpretation of the Torah, and the shaping of it in the mold of the new circumstances.

III.

If we concurred with Graetz, we could not speak of the Great Synod as a phase in the history of our institution. For, according to Graetz, the *Keneseth Haggedolah* was only an ephemeral episode in the life of Nehemiah, the large popular assembly, namely, which he convoked; while all the social and religious reforms after the Return our historian attributes not to the Great Synod, but to another institution which he believes to have been founded immediately after the days of Nehemiah—the *Beth-Din-Haggadol,* the Great Court of Justice, later known as the Synedrion.[42] The *Beth-Din,* however, appears to me to have been organized much later; the name Synedrion, moreover, only came into vogue after the Great Synod had passed through an era during which its membership was reduced to seventy-two, and the name it bore was, again, Council of Elders.[43] How the Elder came anew to be eponymous of the people's representative institution, it lies not within the scope of this paper to elucidate. But there can be no doubting the fact that the Elders, on the one hand, are frequently identified with the Great Synod, and, on the other, they become, later on, the constituent members of the Synedrion, while again and again they are alluded to as a distinct corporation. In other words, it can be proven that between the Great Synod and the Synedrion lies the history of another Council of Elders, or, as it was styled in Greek, the Gerusia.

The Gerusia was not a foreign importation, despite the fact that its name first greets us in Jewish history during the Greek period. Only the name was a new adoption; the institution itself was indigenous to Judea. No wonder, then, that Schuerer observes the radical difference between the Jewish Gerusia, which was essentially aristocratic, and all similar corporations created under Hellenic influence, which were undeniably democratic.[44] The reason lies on

[42] Cf. *Geschichte,* 2, II, p. 155 and p. 178 ff.
[43] Krauss, *ibid.,* p. 374 ff.
[44] Cf. *op. cit.,* p. 191.

the surface: the Jewish Gerusia could not be cut after the Hellenic pattern, because it antedated the Hellenic invasion, because it had behind it the traditions of many centuries, because its structure was grounded in the history of the people. Nothing but a new name the Grecian conqueror superimposed upon the time-honored council, and under it we find it first mentioned in Josephus, at the time of Antiochus the Great (223-187 B. C.).[45] The Gerusia, in those days, not only fulfilled those functions in the social and religious order which from of yore belonged to the representative institution, but also shared with the high-priest the governmental duties which, by reason of the weighty privileges granted to the Jews by the Hellenic rulers, must have been both multiplex and onerous.

It would be interesting at this moment to speculate somewhat more minutely on the probable activity of the Gerusia—particularly on the question as to whether this council, consisting of seventy-two Elders, may not somehow be associated with the Septuagint,[46] which as biblical scholars have pointed out, "was written down to satisfy the religious needs of the Jews by a translated Torah,"[47] but to plunge into such problems would mean, for the success of my paper, to heed a siren's song. I must, on the contrary, hasten to remind you that it is in the days of Hyrcanus II, who was made Ethnarch in 63 B. C., that we find the council first bearing the future-fraught Greek name of Synedrion, and endowed with judicatory and administrative privileges that embraced all Judea.[48]

The central Synedrion of Jerusalem raised to their apogee the activity and the influence of the Scribes. No matter who the president of the institution was—whether it was the high-priest, as the latter-day biblical critics[49] would have it, or the foremost member of the contemporary rabbinical schools, as the Talmudic tradition informs us[50]—all the same, it was the experts in the interpretation

[45] *Annt.* XII, iii, 3.

[46] Cf. Erdman, *History of Philosophy* (English translation), Vol. I, p. 213.

[47] Wellhausen, in *Enc. Brit.*, Vol. XXI, p. 667; Robertson Smith, *O. T. J. C.* (2 ed.), p. 75f.

[48] Cf. *Ant.* XIV, ix, 4; Schuerer, *op. cit.*, p. 193.

[49] Cf. Kuenen, *Over desamenstelling van het Sanhedrin*, Germ. Transl., *loc. cit.*, pp. 49-81; Schuerer, *ibid.*, II, 203 ff.

[50] Mishnah, Hag. II: 2.

of the Torah, the bearers of the treasures of tradition, the Scribes, that played the leading rôle in the council. The activity of the Synedrion at Jerusalem, in effect, continued the chain of ideals first linked by the Great Synod; like the latter, it aimed at the development, the strengthening of the inner life of the people. This it sought to accomplish by attending to the particular demands of the time, by the expansion of the Torah through diligent and ingenious interpretation, so that it might respond to contemporary needs. The Synedrion was the new captain to help the people circumnavigate life according to the chart of the Torah. Of course, specifically, it was also a tribunal of justice, but its judicial work was quite limited, none save cases of supreme import being submitted to it, and that, too, only as a resort of last appeal. Ordinarily, the local courts[51] settled all matters of judicature; while to the Synedrion the higher spiritual and administrative interests of the people were entrusted, its guidance through all the intricacies of secular and religious transformation.

"The Synedrion is your eyes, O Israel! As the whole body follows the eyes, thus all Israel follows the Synedrion."[52] This dictum applied not solely to Judea, within the borders of which the Synedrion possessed actual jurisdiction, sanctioned by the government, but to all countries where Jews lived. The obedience rendered to the central institution at Jerusalem was universal and unequivocal, though entirely voluntary. From the most distant parts inquiries came to the Synedrion relating to religion and life, to the law, and its pronouncements were regarded as authoritative. Adherence was unfailingly acceded to the *Teqanoth,* the Synedrial ordinances, which contained decisions on the variegated topics of religious interest. Whenever, in fact, a new problem arose, no matter what its import, the Synedrion worked out its solution, and forthwith spread the latter broadcast in the form of an ordinance.[53] These *Teqanoth*—a term, by the way, to remember for future reference—dealt with the most multifarious themes: the family purity of the priests, the

[51] Cf. Mat. V: 22; X: 17; Mark XIII: 9; Mishn. *Sheb.* X: 14; *Sot.* I: 3; *Snh.* I: 6; XI: 4; Josephus, *Annt.* IV, viii, 14; *Bell. Jud.* II, xx, 5; T. B. *Meg.,* 26a.

[52] Cf. *Cant. Rab.* I, 63, and parallel passages.

[53] Cf. Acts XXVIII: 21; Tosephta, *Snh.* II; T. J. *Snh.* I: 1 (18d).

regulation of the calendar, the improvement of the judicial routine, the adjustment of marriage settlements, the supervision of public education, the introduction of popular feasts, taxation, and such like. In brief, what Graetz says of Simeon ben Shetah and Judah ben Tabbai, two towering synedriites, was more or less characteristic of all their fellows: "They resuscitated old laws, created new ones, and sought means to impress them upon the memory and the attention of the people." [54]

Purposely, I have avoided the mention of the composition of the Synedrion, the appointment of its members, the *Lishkath Haggazith,* the temple hall consecrated to its sessions, for all these problems are, again, for the present occasion, too intricate and irrelevant. I am sketching the continuancy of the representative institution of Israel; to draw its contour is my aim here, not the details of each one of its separate phases. At the fall of the State and the Temple, the Synedrion, of course, likewise collapsed, but not never to be rebuilt. In the catalogue of the merits of R. Yohanan ben Zakkai it should be accounted one of the chiefest that he had no sooner founded his academy at Yamnia than he succeeded, likewise, in resuscitating the Synedrion. Great vigor of personality may have been needed to acquire for the new institution all the reverence formerly coupled with the hallowed atmosphere of the *Lishkath Haggazith;* popular prejudice may have required palliation. But not for naught was Yohanan called both "the right hand pillar and the mighty hammer" of his time; not in vain was he addressed as "the Light of Israel." [55] His Synedrion gained the universal adhesion of the people. Nay, the total transformation through which Judaism was passing just then made its services priceless. In this period of transition it played a part parallel to that of the Great Synod in the early days of the Restoration. R. Yohanan ben Zakkai was, in reality, a new Ezra. His Synedrion not only abolished anachronous rites, but its weightiest task was the laying of an utterly new basis for the future life of the people, the translation, the transfiguring of the old doctrines; the adaptation of the Torah to totally new, unprecedented circumstances. Its activity thenceforth embraced all

[54] *Op. cit.,* vol. 3, I (4th ed.), pp. 137 ff.
[55] T. B. *Ber.,* 28b.

branches, you may be sure, of the inner life of the Jews: the appointment of New Moon and feasts, the regulation of the new form of worship, the final fixing of the liturgy,[57] not to mention minor topics. In fact, there were nine distinct institutions, the introduction of which was accredited to R. Yohanan ben Zakkai alone, of which the most significant, mayhap, was his methodical insistence upon the principle: *Sheyeheyu toqein bekhol maqom sheyesh bo beth din*[57]— that the trumpet of religious life (to turn one of his reforms into a trope) should be blown wheresoever the Synedrion should chance to be; a doctrine which, one must admit, he himself carried out without compromise.[58] This certainly was an auspicious principle, seeing that a period of peregrination was in store for the Synedrion. For, after the death of Yohanan, the institution began to move about with its presidents, holding sessions now at Usha, whence emanated the noted *Teqanoth Usha*,[59] now at Beth Shearim, now at Sepphoris, and now at Tiberias. The sunset of the Synedrion in Palestine, however, was, no doubt, accelerated by two circumstances: the multiplication, on the one hand, of talmudic schools and ordained scholars throughout the country, which was bound, in the long run, to counteract the centripetal tendency; and on the other, the collection of the Mishnah by Judah I, which by giving to the people an authoritative compendium of the interpretations of the Torah, removed, to a great extent, the necessity of turning to the Synedrion for the solution of religious difficulties, and thus caused detachment from it.

The Synedrion can not be dismissed, however, without a brief allusion, at least, to its offspring in Babylonia. While the central council was on the decline in Palestine, and the splendor of the Babylonian academies was constantly growing, the following opinion gradually began to prevail: *Sanhedrin nohegeth baarezu-bhehuz la-arez*,[60] *the* Synedrion is legitimate both in, and beyond, Palestine. While such

[56] Cf. T. B. *Snh.*, 11a.

[57] Mish., *R-Hash.*, IV: 1.

[58] Gemara, *ibid.*, 29b. In later times the Synod again held its sessions at Yamnia, and we have relics of its activity, relating to the liturgy and the canon, in Mishna, *Yadayim*, III: 5, T. B. *Berakh*, 28b, f, *Taanith*, 31a.

[59] Cf. T. B. *Kethub.* 49f, *M. Qat.* 17a, *Sab.* 15b.

[60] T. B. *Makkoth*, 7a; cf. *Git.* 6a, *B. Qama* 80a.

a maxim was altogether out of harmony with the predelections of the Palestinian Synedrion, yet had the latter no sooner commenced to abey, than a Synod was in full swing in Babylon. Its groundwork was the academies at Sura and at Pumbeditha. These latter, from their very inception, had made a practice of setting aside two months annually as *Yarhe Kallah*[61]—months, namely, during which scholars from far and wide pilgrimed to the seats of the academies to enlist in the "tournaments of the Torah," as Tanhuma puts it;[62] for instruction, that is, mutual assistance, and common deliberation. In the course of time, these assemblages forfeited more and more their instructional character, and assumed the aspect of administrative and legislative Synods—a circumstance brought about largely both by the endless multitude of religious inquiries, which began to reach the academies from all parts of the Diaspora, and by the ever-growing facilities which, with the completion of the Talmud, young students had for self-instruction. The assemblages, in point of pure education, thus turned into mere examining universities, so to speak, while their main energy was dedicated to the people's larger issues, both religious and secular.[63] These semi-annual Synods continued, with mayhap slight interruptions, throughout the history of the Babylonian academies, a period approximating seven centuries, their duties being in the main: the preservation, firstly, of talmudic scholarship, and the constant recruiting, through examinations, of synedrial candidates; secondly, the maintenance of a steady correspondence with the Jews of the Diaspora, who were accustomed to turn with their difficulties to the new Synedrion; and, thirdly, the rendering of legal decisions necessary even after the conclusion of the Talmud, since in the latter such could not be found, being, as it is, a compilation of legal discussions rather than a compendium of

[61] See instances and discussion in Kohut, *Aruch Completum*, Vol. IV, p. 227 f.

[62] Cf. the old *Tanhuma*, Nôah, 3; cited in Buber, *Midrash Tanhuma*, p. 15: The "destruction of Jerusalem" and the "exile" alluded to in the passage quite likely are Midrashic expressions for the decay of the Palestinian Synedrion and the consequent emigration of the scholars. It is an interesting contemporary document.

[63] Cf. Graetz, *op. cit.*, IV, chap. 2.

laws.[64] In matters of minor import, the Synods of Sura and Pumbeditha acted as two independent bodies; but when questions of exceptional gravity arose, they combined into one Synedrion, the enactments of which conveyed incontrovertible authority. In this manner the Babylonian Synods continued the traditions of the Jewish representative body: *the transmission of the Torah, and its adaptation to, and interpretation for, the new conditions of life.*

IV.

The conditions of life in Europe, where the Jewish communities grew ever more appreciable, of course, tended to generate many a religious problem. As long as the Synedrion existed in Babylon, it is thither that they were sent for solution. But when that fountain of authority was dried up, it became incumbent upon the European Jews to resolve their own perplexities. Very soon, then, you see the opening of the era of Synods in Europe; particularly in those countries where the Jews excelled in point of population and of scholarship. The *Teqanoth,*[65] which formerly were imported from Asia, you now find shaped in Germany, and in France, and in those other countries where environment necessitated a modification of the ancient theory. I cannot hope to enumerate here all the Synods of which we have distinct knowledge, and shall, therefore, content myself with merely indicating the causes which led up to them. Before doing this, however, I must remind you that the first widely accepted *Teqanoth* which emanated from Germany, bore the signature not of a Synod, but of an individual: the Ordinances of R. Gershom, who lived while the light of Sura was flaring its last (960-1028 A. C.).[66] Everybody knows Gershom's three principal institutions: the prohibition of polygamy, the necessity of the wife's consent for the validity of a divorce, and the involability of letter secrecy; for the author-

[64] Cf. Weiss, *op. cit.,* IV, chap. 2.

[65] On the nature of the medieval Teqanoth, cf. Abrahams *Jewish Life in the Middle Ages,* pp. 58-61.

[66] Jost places R. Gershom, also, at the head of a Synod convened by him, and cites in support of his statement Meir ben Barukh of Rothenburg, *Responsa,* No. 1019, which, unfortunately, it is impossible for me to verify. (Cf. *Gesch. d. Judent. u. s. Sekten,* II, p. 389.)

ship of which he was fondly surnamed "The Light of the Exile." It was, however, about a hundred years after this rabbi of Mayence produced his *Teqanoth,* that regularly constituted Synods began to appear both in France and in Germany. By that time, not only was there a sufficiently large number of prominent Jews in these countries to band together for deliberation on matters of religious moment, but, what is more certain and noteworthy, such deliberative assemblies became exceedingly importunate.

The entire series of Synods which convened between the twelfth and the seventeenth centuries, and which, for convenience sake, I shall style the Medieval Synods, were called into existence by the following four causes:

1. The religious conditions of the time. What had been the chief task of the Great Synod and of the Synedria? To interpret and adapt the Law to new conditions of life. And now, too, the Law, both the Torah and the Talmud, required modifications in order to respond to the new circumstances. A radical difference there was between the environment in which the Talmud had been produced and the Christian countries in which the Jews now lived. Interpretation alone of the traditional literature sufficed no longer; actual augmentation was required—the era was come, not of the *Parshan,* but the *Tosaphist,* not of Rashi, but Rabbenu Tam. Such confusion and heterogeneity, in fact, had crept into the religious practice, that, as a means of averting anarchy and introducing clarity and harmoniousness, the Synod suggested itself most forcibly.

2. The judicial position of the European Jews demanded a Synod. In the middle age, you remember, the Jews were treated as aliens by the several nations, and were left to themselves in their inner administration and judicature; they had their own courts of justice and executive boards. For the efficient exercise of such judicatory and administrative functions, however, the need was strongly felt of uniformity of rules and regulations. And this could be best achieved by synodal assemblies.

3. Another factor in the creation of the Synods was the manifest need of elevating the manners and the morals of the people. The Crusades, the persecutions, and the consequent instability of fortunes had directly and indirectly caused moral degeneracy among

the Jews. Luxury, loose conduct, illegitimate trades, lack of decorum, were rampant, all of which, it was felt, could be counteracted more effectively by a Synod than by the rabbis individually.[67]

4. The numerous persecutions of the later middle age, in fine, called forth many temporary Synods, at which methods were devised for averting the common danger. As a rule, such Synods levied a tax on the communities for the purpose of bribing the persecutors, though they made themselves responsible for many another *Teqanah* calculated to diminish prejudice and to stem the tide of trouble.

Having thus suggested the causes of the several Synods, I rely on your indulgence if, for the sake of economy, I abstain from a detailed account of the several assemblies. Suffice it to say, that their success, on the whole, was quite marvelous; that in matters of uniformity of jurisdiction, of religious organization, and of the moral uplifting of the Jewries their efficacy was well-nigh boundless. One method solely they had of enforcing their enactments—the threat of excommunication; but that was quite enough. Resistance to the *Teqanoth* of a Synod was practically unknown within the purlieus of its authority—within the districts, that is, from which delegates were sent to its assemblies and which, again, were not prevented by their political position from joining it. For, as you know, no Synod in those days could possibly assume an international character, for the reason, if for none other, that the Jews, regarded as chattels by their several princes, were liable to the diversity of temperament and treatment of the latter. Synods were, therefore, local, provincial, national, as, *e. g.*, the Synod of Spanish Jews, which met, presumably, at Barcelona, under the presidency of R. Nissim b. Reuben, in the years 1354-56;[68] the French assemblies of Rheims and Troyes in the twelfth century; the Synods of *Shum* (Speyer, Worms, Mayence) in the year 1223,[69] and again in 1381;[70]

[67] Cf. Güdemann, *Gesch. d. Erziehungswesens,* Vol. I, p. 255 ff.

[68] The document regarding it was published in *He-Haluz,* I, 1852, p. 20 ff. Cf. Jost, *Geschichte des Judentums und s. Sekten,* III, p. 90 ff.

[69] Cf. Graetz, *op. cit.,* Vol. VIII (3 ed), p. 102.

[70] Cf. Moses Menz, *Responsa,* No. 10.

the Synod at Erfurt, about the year 1400;[71] at Nuremberg, about 1440,[72] and such like—never were they international. Nor was obedience expected without representation, and the only instance known to me in which the enforcement of the contrary principle was attempted—by the Synod of Bingen, about the year 1455,[73] caused unmistakable resentment. Frequently, however, the assembled delegates extended an invitation to all rabbis and representative laymen not present at the Synod, to become signatories to the *Teqanoth* adopted, in order to secure for them the widest possible sphere of adherence, as was, *e. g.*, done at the memorable Synod at Frankfort-on-the-Main in the year 1613.[74] Certainly, many an enactment thus found currency beyond the bounds of the particular Synod responsible for it, not to mention the fact that often *Teqanoth* were reënacted by later assemblies, and thus either resuscitated or reinvigorated. The synodal assemblies continued throughout France, Germany, and Italy from the beginning of the twelfth century—when R. Tam may have started the movement—till the seventeenth century, when the Synod of Frankfort, which I have just mentioned, and which was attended by the leading men from all Germany, involved the Jews of the country in a preposterous trial for secret conspiracy. The utility of the Synods was as vast as their authority; they became "the Shepherds of Israel." Many a communal institution owed its origin to them, many a charitable organization, a hospital, a school; not to mention their merits in elevating the ethical status of the Jews and in averting from them, through circumspectness and corporate endeavor, numerous dangers, in a period when, Heaven knows, there was lack of neither danger nor distress. Few of us, indeed, may know, what Dr. Güdemann has pointed out, that the entire modern communal life of the Jews in Germany and kindred countries, in so far as it is of indigenous development, in reality, was first given shape and expression at the medieval Synods.[75]

[71] Cf. Isserlein, *Terumath Haddeshen,* No. 24.

[72] Cf. Jacob Weil, *Responsa,* No. 101.

[73] Cf. Isserlein, *ibid.*, No. 252 f; Menz., *ibid.*, No. 63, 1-5; Graetz, *loc. cit.*, p. 211 ff, 427 ff; Güdemann, *Gesch. des Erziehungswesens,* Vol. III, p. 38 f.

[74] Cf. Horovitz, *Die Frankfurter Rabbiner-versammlung v. Jahre 1613,* p. 25.

[75] Cf. *loc. cit., p.* 256 ff; Abrahams, *loc. cit.*, p. 58.

V.

Were not economy uppermost in my mind at present, I might dwell at length on a certain Synod of world-wide import for the conception of which the medieval persecutions and the desire to unify Israel were alike responsible. But as the importance of the Synod in question never really passed the borders of imagination, it will suffice here just to make mention of it and dismiss it as one of the many dreams dreamt by the sons of Israel. I am speaking of the Synedrion which Jacob Berab (1464-1541) tried to re-establish in all its pristine glory in Palestine. Berab's underlying idea was thus to create a highplace for the unification of Israel, which—as his most curious blending of rabbinic erudition and mystical dreaminess had led him to believe—needs must precede the advent of the Messiah. Learned, rich, and influential, he had gone as far as obtaining the old-time Ordination—*Semikha*—from his fellow-rabbis at Safed, and thus was in position, in accord with talmudic teaching, to ordain others. He might even have arrived at a realization of his dream, were it not for the bitterest opposition which his plan evoked from R. Levi ben Habib, the chief-rabbi of Jerusalem. The controversy with the latter nipped the synedrial flower of Berab's imagination in the bud, despite his managing meanwhile to confer the Ordination on four of his colleagues and disciples. Among these was Joseph Karo, another mixture of talmudism and mysticism, who observing the failure of his master to create an actual Synedrion for the unification of Israel, attempted to achieve the same result in another manner, and thus produced the *Shulhan Arukh*—a Written Synedrion.

VI.

At no time, however, has Israel consisted entirely of dreamers. The charm of Jewish history lies in the contiguity it presents of dreamland and reality, in the welding of *Dichtung* and *Wahrheit*. While Berab was laying the groundwork of a universal messianic Synedrion in Palestine, the more sober-minded and prosaic Jews of Poland were preparing to establish a Synod for more practical, though more provincial, wants; a Synod, however, destined to become the most notable post-talmudic institution of its kind. The

Synod of the Four Provinces—*Wa'ad de-Arba Arazoth*—has left a deep impression in Jewish history, despite the fact that most of its Minutes have been either lost or destroyed, and the problems relating to it are only now in the course of solution. This Synod is a polyonymous institution; you find it under many *aliases:* now it is the Synod of the Four Provinces, now of Five, and now of Three. It is, therefore, essential to remember that all this signifies a mere variation of names, the provinces meant always including Little Poland, with Cracow as capital city; Great Poland, with Posen; Russia, or Podolia, with Lemberg; Volynia, or the Ukraine, with Vladimir, and Lithuania, with Brest—only that Great Poland and Little Poland ofttimes were included under the name of Poland, while Podolia and Volynia were designated as Russia, Lithuania always being treated as an independent Grand Principality; as a rule, however, a fourfold division prevailed, Great Poland and Little Poland being separated, whence the common name of the Synod: *Wa'ad de-Arba Arazoth.*[76]

What caused the inauguration of the Polish Synods? Again, the peculiar relations of life. The Synods were the direct outcome of the position of the Jews among their neighbors, or, more specifically, both of the privileges they obtained from the Polish Kings, and of the acute social antagonisms dominant in Poland. On the one hand, the Jews possessed, by royal concession, the right of their own jurisdiction in civil entanglements; on the other, the peculiarities of the gentry had brought the judicial system of Poland to such a pass, that almost every portion of the population—every caste and sect—came to depend upon its own governing and judiciary organization. The autonomy of the Jews was thus quite a necessity; a fragment of the larger life of Poland. Add to this the fact that both Poland and Lithuania adopted the system of treating the Jews as a unit of taxation, the allotment of which required the services of a central body; add, furthermore, the circumstance that where courts of justice existed, superior courts of appeal were requisite, and that frequently conflicts occurred of a nature that disal-

[76] Cf. Dembitzer, *Miktebhe Biqqoreth,* p. 9f; Dubnow, *Yevreyskaya Istoriya,* II, p. 319.

lowed of settlement by a local tribunal—and the need of a central organization will grow quite obvious.[77]

The Synod of the Four Provinces did not monopolize the supervision over the affairs of its constituency. The work was rather superintended by a number of concentric organizations: first, there were the local Qahals—Congregations—entirely autonomic within their sphere; then came the district assemblies, then the provincial assemblies, and, at length, the General Synod. Lithuania, in particular, had an altogether independent Synod of her own, analogous in activity and composition to the Polish council, and consisting of five so-called "Synagogues." All the affairs of the Lithuanian Jews stood beneath its surveillance, and only in instances of particular moment it joined forces with the General Synod, either voluntarily in matters of exceptional interest, or in events of such royal legislation as affected the Jews of the entire kingdom.[78]

Nothing would afford me greater pleasure than to detail here the multifarious activity of the Synods of Poland and Lithuania. But this is quite impossible, seeing that I should then be constrained to narrate the story of a highly energetic institution which was, with slight interruption, active for about two centuries. The Polish Synod, it may be noted briefly, was founded some time within the reign of Sigismund I (1506-1548),[79] soon after the immigration of Jacob Pollack, while Lithuania established hers some time toward the close of the same century, after the Lublin Union (1569). The General Synod at first met at desultory places, until it resolved to hold periodic sessions during the fair at Lublin, and later, also during the fair at Jaroslaw. At these two places, then, the Synod met at semi-annual intervals, with slight interruptions, as I have said, for about two hundred years. Its decay began in the earlier part

[77] Cf. Dubnow, *ibid.*, p. 305 ff.

[78] The entire subject is now admirably dealt with by Dr. Harkavy and Rabbinowitz in the latter's Hebrew translation of Graetz's *History*, Vols. VII and VIII. The volumes reached the writer too late for utilization in the present paper.

[79] A document is extant dating from the year 1533, in which King Sigismund I enjoins upon his subjects obedience to the jurisdiction of the court of "Jewish Doctors" that was held in Lublin (see Bershadski, *Russko-Yevreyski Arkhiv*, Vol. I, p. 192f). Cf. Dembitzer, *loc. cit.*, p. 6f, 19f.

of the eighteenth century, when the Jaroslaw sessions were the first to cease, when the Lithuanian Synod consolidated with the Polish, when gradually tri-ennial meetings were substituted for the annual, until, at length, in the year 1764, the Diet of Warsaw ordered its total abrogation, after having done away with the lump taxation of the Jews.

The Polish Wa'ad was not alone an administrative organization, or tribunal of justice, or revenue department for the King: it was, in addition, the cultural centre of the Polish Jewries, the Mecca of the intelligence and the scholarship of the land. What time could be spared from the making of all possible *Teqanoth*—enactments stretching over the highways and by-ways of life—was zealously devoted to the general improvement of mind and soul. The Synod was truly an assembly of the wise: if you were a learned man and parent of some new idea, it was thither that you pilgrimed with your intellectual offspring, where you knew you could make show of it to experts; if you hit upon some new trick of exegesis, concocted an ingenious pilpul, you knew where your inventiveness had the best chance of recognition; if you were the author of a new work, a new collection of Responsa, nay, a new volume of *Hiddushim* (Novellae)—than which, to be sure, as a Polish rabbi you could produce nothing nobler—then, indeed, you could find no better distributing centre than the Synod. Nor, I assure you, was there any lack of argumentative exhibitions at the assemblies, where many a talmudic tournament occurred, many a spear of speculation and lance of learning were broken, and where, if you were a young rabbi, you had the opportunity of joining the jousters and displaying your dexterity in discussion, which chance, if it proved to your credit, often procured you, by way of guerdon, a call from a congregation, unless, indeed, your rich merchant of a father-in-law bought the office for you at the fair, as he was quite apt to do.

VII.

While I sincerely regret my inability to dwell more at length on the Polish Synods, I shall, without the least compunction, allot the briefest space possible to the notorious French Synedrion. And this not alone for the reason that while of the former our knowl-

edge is most meager, we have the fullest information concerning the latter, but also because the French Synedrion appears to me as the most jejune and least Jewish chapter in the history of our institution. The least Jewish, I say, for both the Convocation of Notables and the subsequent Synedrion, the combined activity of which lasted from July 26, 1806, to March 25, 1807, were not a real outgrowth of the existent needs among the Jews of France, but rather reflected the megalomania of Napeoleon. On May 30, 1806, this monarch issued a decree, according to which the Jews were to hold an assembly of Notables, under imperial supervision, for the sake of answering certain questions anent their religion and their patriotism. The delegates to this assembly, including some really noted rabbis and laymen, were not selected by their respective communities, but appointed by the prefects of police. The initial session was held on a Sabbath, which was certainly not Jewish. The leading questions submitted to the assembly were as to whether the Jews loved France and the French, whether they considered the laws of the land binding, whether they sanctioned intermarriage with Christians, and usurious dealings with Christians. Between these were sandwiched in several minor interrogatories. What time was left to the delegates in and between making reply to these questions, they spent in conveying compliments to the monarch, in a display of oratory, and in rhetorical rodomontade—wherewith Napoleon was so heartily pleased that he disclosed to the Notables his further aspirations on behalf of Israel—his desire to re-establish the Synedrion. What a grand vision! The centre of Jewish authority in France! Paris the new Jerusalem! The hearts of the Jews the world over turned toward the capital of Napoleon! The monarch may have had a deep-seated consciousness of the utility of such a cosmopolitan ally as the Jews; the Synedrion, mayhap, was part and parcel of his mad craving to unify the world under his sceptre. As for the Jews, however, they were intoxicated with the plan; they saw visions of a new age, and dreamt dreams of rejuvenation. A new Ezra was arisen, the Emperor; a new Nehemiah, Napoleon! However, after the Synedrion had really assembled (on the 9th of February, 1807) and put the stamp of its authority upon the work of the Notables, which, Napoleon said,

would make the latter binding for all Jews, it soon discovered that unless it be for the making of long-winded speeches and the building of Babylonian towers of phraseology, it really had no *raison d'être*. And thus it died in just thirty days, leaving as its only monument in the history of the Jews in France the institution of the Consistory, regarding the utility of which, needless to say, there is divergence of judgment.[80]

VIII.

What made the French Synod so un-Jewish was that it did not respond to any real demand of the people. It was not called into being to readjust any social relations or to solve pressing problems; it was engrafted on Jewish history by the vagaries of an external personage. That it might have followed the example of preceding Synods, and devoted its attention to the disentanglement of confronting perplexities—to the reinterpretation of the Torah, you might say—there can be no gainsaying; but this is neither here nor there. The next Synod after the traditional pattern—convoked, that is, for the distinct purpose of readjusting the ancient religious theories to a new environment and to new conditions of life—was not to occur until Reform Judaism was strong enough to spread its wings over it. And this event took place at Leipsic, in the year 1869. In saying this, I omit to make mention, first, of the Consistory of Jacobson which was organized at Cassel in 1808; and, secondly, of the several Rabbinical Conferences held in Germany in the second quarter of the nineteenth century. My reason for doing this is that, as for the former, it was too apish a copy of the French Synod, and too characteristic a product of Jacobson's estheticism and vainglory to require notice, and, as for the latter, they of course were not Synods at all, but simply deliberative assemblies of rabbis. Had I enough time at my disposal, nothing, I am sure, could be more appropriate than to point out the rôle which these very Rabbinical Conferences have played in the molding of modern Judaism: how

[80] A summary of the questions and answers of the French Synedrion may be found in the *Year Book* of the Central Conference of American Rabbis, 1890-91, p. 80f.

the caucus called by Geiger at Wiesbaden in the year 1837,[81] and then the Conferences at Brunswick in 1844, and at Frankfort in 1845, and at Breslau in 1846, all strove for an adjustment of historical Judaism to modern conditions, for the devising of means by which "the preservation of Judaism and the awakening of the religious sense might be promulgated."[82] But, aside from my disinclination to overstep my limit of time, the Conferences really fall beyond the scope of my paper, since, as I have said, they were mere rabbinical associations, and not deliberative assemblies of both rabbis and laymen, Synods.

The Synod which met at Leipsic from the 29th of June to the 4th of July, 1869, and subsequently at Augsburg from the 11th to the 17th of July, 1871, was not the child of a day. The Rabbinical Conferences had done their share in preparing the day for it, though even more anxiously than the rabbis, had the several Reform associations, particularly the *Reformgenossenschaft* at Berlin, advocated it and bided its coming. The simple fact is, that the new conditions in Germany, grown out of the emancipatory movement, had aroused universal interest among the Jews in the problem of self-adjustment. Emancipation signified the end of the era of isolation, the end of judicial autonomy, it denoted full citizenship, and participation in the political, social, and educational privileges and duties of the country.[83] The question then was, how the ancient Law was to affect, and to be affected by, these new circumstances. It was a climacteric period in Jewish history: the entrance of Israel into Western life. A day like the day of the destruction of Jerusalem: then the Jews had lost their nationality; now they found it again. That tradition needed reinterpretation was commonly felt; there was an instinctive self-assertion, moreover, of the synodal idea. On the one hand, Rapoport, one of the parents of Jewish science, advocated the founding of a Synod in Galicia, for the purpose of settling authoritatively what portions of rabbinic literature were to

[81] Cf. Jost, *Neuere Geschichte,* III, pp. 143-148; Rabbinowitz, *Biography of Zunz* (Hebr.), pp. 156-159.

[82] Cf. Jost, *ibid.,* p. 238 ff; *Year Book* of the *C. C. A. R., loc. cit.,* p. 81 ff.

[83] Cf. Jost, *ibid.,* p. 6; Lazarus, *Was heisst national?* in *Treu und Frei,* p. 95 ff.

be considered superannuated, thus to allay the suspicions of the Government concerning any anti-Christian sentiment allegedly found in it.[84] On the other hand, you could find throughout Germany circles, unions, associations, consisting of young and ardent Jews, professional students and laymen, all craving after a certain readjustment of life, and feeling the strength which is in union.[85]

The Rabbinical Conferences, also, were so many columns in this structure of unification, while the Synod formed the keystone. That the *Reformgenossenschaft* should have gloried in its convention was but natural; for many, many years it had undertaken single-handed the remodeling of its mode of worship and code of doctrines, all the time emphasizing the provisional nature of its innovations and leaving them subject to the sanction of a Synod.[86] Nay, as early as 1846, it had actually attempted the convocation of such a Synod, which, however, proved premature and futile.[87] The German Synod, into a detailed account of which I need not enter here, thus aimed at a rejuvenescence of the contents of the Jewish religion, at the proper spiritual bringing-up of the rising generation; it aimed at the spread of knowledge, of a genuine appreciation of religious institutions, and of a religious idealism, where ignorance, materialism,

[84] Cf. Jost, *ibid.*, pp. 84-88. The Synods at the time existing in Galicia were mere wheels of the governmental taxation machine. A worthier Synod of Galician Jews, in which over two hundred congregations participated, took place at Lemberg, in the year 1878, under the auspices of the "Shomer Israel" association. At that conference numerous religious and cultural problems of the Galician Jews were broached, and their present communal organization was devised. Unfortunately, the much-promising Synod was then killed by the opposition of the orthodox rabbis, under the leadership of R. Simon Schreiber, of Cracow. It now seems, however, to have been revived. A convention of the Galician congregations, represented by about two hundred delegates, was held recently (May 1-3, 1900) in Lemberg, at which the confronting problems of religion and of culture were discussed. (N. Samuely, in *Voskhod*, April 27, 1900; *Jewish Chronicle*, May 4, 1900.)

[85] Most notable is *Der Verein für Cultur und Wissenschaft des Judentums* in Berlin, glowingly depicted by Heine in his eulogy of Ludwig Marcus (*Vermischte Schriften*, Vol. II).

[86] Cf. Jost, *loc. cit.*, p. 253, and *Gesch. d. Judent. und seiner Sekten*, III, p. 381 f.

[87] Cf. Jost, *Neuere Geschichte*, p. 383.

superstition, and flat commonplaces had come to prevail; it aimed, above all, at the reduction of the power of external formalism by an instillation of greater inwardness into religious life, and by an awakening of the historic sense and intelligence among the people. The Synod, in addition, was also to be a Zion—as Dr. Lazarus has put it—a distinguished place whither the delegates might pilgrim periodically and find an abode where—after the troubles, the trials, the pettinesses and the petulancies of daily life—they would feel again the bliss, the buoyancy, and the inspiration that flow from genuine spiritual association.[88] An account of the successes and the failures of the Synod cannot here be attempted; but who will gainsay the important rôle played by it in the making of our latter-day Judaism? It is a rôle parallel to the part of the Synods at all other crossways of Jewish history.

IX.

Whether my paper has made it apparent that the Synod has formed "the warp and a good part of the woof" of our religious history, it is not for me to judge. At any rate, we have, by simply following the course of events, discovered a Synod at every notable historic juncture. The Elders, the Great Synod, the Gerusia, the Synedrion of Jerusalem, the Synedrion at Yamnia and its successors, the Babylonian Synedria, the stately series of Medieval Synods covering five centuries at least, the Synods of Lithuania and Poland, the Modern Synods—their records, you may be sure, would make the best synopsis of the development of Judaism, not to mention their share in our secular history. What wonder, then, that this genuine Jewish idea, the importance of the Synod, should have swayed most strongly the man than whose name none shall shine more brilliantly in the annals of the American Jews? What wonder that our deeply lamented master, our sainted leader, should have championed in this country, with that energy and power of his which never shall cease to inspire, the founding of a permanent

[88] Cf. Lazarus, *Synodalreden* in *Treu und Frei*, pp. 1-52, and 313-315; particularly pp. 8, 10, 33, 44 ff. A summary of the work of the Synods may be found in the *Year-Book* of the *C. C. A. R., loc. cit.*, pp. 100-17.

Synod? It would be fascinating to dwell now—now, in particular, that for the first time his beloved voice is unheard at the convention of the Conference—on the enthusiasm, the power, the clairvoyance, with which Isaac M. Wise struggled for the unification of Israel in America, and for the founding of a Synod.[89] But clearly I dare not lend myself here to this fascinating pursuit. Suffice it to say, that Dr. Wise observed the unprecedented and unparalleled distinctiveness of the position of the Jews in this country from what it ever had been at any other place. None saturated with the spirit of Jewish tradition but must admit that the environment called, to employ the phrase again, for a reinterpretation of the Torah. And by whom had such work always been accomplished? By Synods—conventions of *Zeqenim* and *Sopherim, Gedolim* and *Hakhamim,* rabbis and laymen. Wise advocated the establishment of a similar Synod—spoke on its behalf since the year 1848,[90] wrote and fought. As early as 1855, on October 17, he had managed to convene an assembly at Cleveland, attended by both orthodox and reform delegates, to work out a plan for synodal organization—a plan proposing to unite all the Jews of the country and to centralize the captaincy of all their national affairs: education, the charities, and communal work.[91] But not only was this plan still-born, but all its successors also. The Synod remained to his last day one of Wise's ideals, of which, however, portions have been realized through his indefatigable energy. The several Rabbinical Conferences—the Philadelphia Conference of 1869, the Pittsburg Conference of 1885, and the Central Conference of American Rabbis—you all know to have been the outcome of his propaganda, despite the fact that his spirit dominated not at all the first-mentioned, and only partly the second; while, on the other hand, had there been no Dr. Wise, it is safe to say, there should have been no Union of American Hebrew Congregations. Both the rabbinical and the congregational unions are manifestations of the synodal idea—they are two fragments of the ideal which Wise never ceased to nourish and which possibly yet awaits complete realization: the continuance of the Jewish religion

[89] Cf. Wise, *Address of Welcome,* in the *Year-Book* referred to above, p. 14 f.
[90] Cf. *ibid.,* and *Selected Writings* of Isaac M. Wise, pp. 45-53.
[91] *Ibid.,* pp. 71-73.

in the New World through the medium of that time-honored Jewish institution, the Synod.

FROM DR. SILVERMAN'S MESSAGE, DETROIT, 1903.

A SYNOD.

In this connection I desire to remark that the lack of a central authority is not only felt with regard to general secular matters affecting Jewish interests but also with regard to ecclesiastical matters that are of great moment. The autonomy of congregations is jealously guarded with the result that we have almost as many phases of Judaism as we have congregations. The Central Conference of American Rabbis has mitigated this evil to a great extent by bringing the rabbis together for discussion and concerted action on matters calling for unanimity. But there is no denying the fact, that much of the value of our deliberations and conclusions is lost because we lack the means of making them effective. The Conference has thus far been only a literary and deliberative body whose influence has only been suggestive and advisory. For many years we have felt this weakness which has been recognized by all leaders of our times and by the zealous rabbis of former generations. Every great period of ancient Israel had its Sandhedrin or Synod. A history of these would form an outline of the development of Judaism.

We feel the need of such an authoritative ecclesiastical body in Judaism to-day. Whilst the Conference endeavors to reach and often succeeds in obtaining unanimity, we have not the power to enforce our decisions.

When a year ago we reverted to this subject in our message (*vide* Year-Book, 1902, pp. 37 and 96), the Conference acted favorably thereon and agreed to the appointment of a Committee to consider the possibility and means of extending the scope and increasing the authority of the Conference. The Committee was appointed, but, owing to the death of its chairman, Dr. M. Mielziner, it has failed to act and has no report to offer. I have, therefore, undertaken to outline a tentative plan which I submit to your consideration.

I have realized the necessity of the Conference as a body of rab-

bis remaining intact and I propose that we create a joint meeting between the Conference and lay delegates from congregations. *This joint assembly is to be called a Synod,* and to it are to be referred such conclusions arrived at by the Conference by three-fourth vote, and for whose execution it is necessary to have congregational authority. The lay delegates to the Synod should be limited to one for every 100 members of a congregation, but every congregation that has more than 50 and less than 100 bona fide members shall be entitled to one lay delegate. Rabbis of congregations can only become members of the Synod if they belong to the Conference. When a recommendation of the Conference has been endorsed by a three-fourth vote of the Synod, it shall be declared the law and practice. The Synod shall meet every two or three years.

It is imperative that such a Synod be convened at as early a date as possible for the purpose of deciding upon the following matters on which the Conference has already acted:

1. Articles of Jewish Theology.
2. How to further Sabbath Observance.
3. Best Methods of Electing Rabbis.
4. Best Methods of Gaining the Unaffiliated.
5. Intermarriage.
6. Proselytism.
7. Cremation.
8. Uniformity in Synagogue Music and Ritual.
9. Better Observance of the Festivals and Holy Days.
10. Uniform System of Religious Instruction.

DR. JACOB VOORSANGER.

The great need of our people at the present time is that of a strong and correct definition in what, aside from official service, charity and the natural manifestations of virtuous conduct, Judaism really consists. To punctuate the necessity for such a definition we need not travel beyond the environments of this great Sabbath question. Our people generally are adversely inclined to an official change of the day. Assuming for a moment that such a change, which is not and cannot be contemplated, would conduce to their spiritual content-

ment and the strengthening of religious ties, under what authority could each Jew sanction for himself so grave and radical a departure? To what precedent may he appeal? By what dicta will his proceeding be justified and protected? No individual rabbi can sanction the change. No Jewish congregation can presume to invest its Sunday service with the character of a Sabbath celebration. The question at issue eminently demonstrates the great need of our American congregations, namely, an authority to which all questions of discipline and religious practice may be deferred; an authority, democratic enough to be considered representative of the people and yet strong enough to be able to popularize and insure acceptance of its decrees and decisions. It is respectfully submitted that the chaotic state of our ritual practice and discipline will not materially change until such an authority has been properly defined. No religious organization, if we consult the experience of history, can permanently flourish without presenting its constitutional principles in a permanent and concrete form. American Judaism has no such permanent form at the present time; and until it has, the freedom with which many questions are interpreted, because it lacks the protecting voice of a collective authority, naturally appears as unwarranted and unsanctified. Under present conditions no rabbi has individually any authority. No congregation can legislate upon any question affecting the vital principles of Judaism as they are manifested in the life of individuals or communal bodies. And yet, here are questions which affect us collectively: and even this Conference, composed of the exponents of Jewish principles and the learned guardians of the tradition, has no power to legislate upon problems upon which much of the future of American Judaism seems to depend, or actually does depend. Is it then possible to create an authority that could competently treat every question by the successful solution of which the spiritual unity of American Judaism can be promoted?

In answer to this last question the following scheme of organization is respectfully submitted for the consideration of the commission and the Conference:

1. State Conferences to be organized, to be composed of the rabbi and president of each congregation within the State and three

delegates at large from each congregation. Such State Conference will have opportunity for treating and discussing all matters pertaining to local and communal administration.

2. At a certain time during each year each State Conference shall elect five delegates, composed of two rabbis and three laymen, to a National Conference which, according to the present number of States and Territories, would at the present time count two hundred and twenty-five delegates, composed of three-fifths laity and two-fifths clergy. This National Conference, or whatever its designation may be hereafter, shall immediately upon its convocation and organization divide into two bodies, one to be known as the Central Conference of American Rabbis, the other representing the Union of American Hebrew Congregations. The first body shall discuss and pass upon all matters pertaining to religion and discipline, the second shall concern itself with all matters pertaining to education and administration; but both bodies shall submit their conclusions to a ratifying discussion and vote of the joint organization.

3. This National Conference shall elect an Executive Council of fifteen, composed of nine laymen and six rabbis, which shall represent it during adjournment and constitute the actual center of all religious and administrative unity of American Jewish Congregations.

4. The National Conference, when organized, shall invite all national Jewish organizations of whatever description to affiliate and meet concurrently with it, so that, without disturbing the autonomy of any one of them, they may all report to one central agency, and so promote the national unity of Jewish communal life.

5. The appointment of a committee of five to carry this plan into effect is herewith requested.

[Report of Sabbath Commission, *Year Book, C. C. A. R.*, Vol. XIII, pp. 153 ff.]

FROM DR. M. MARGOLIS' PAPER ON "THE THEOLOGICAL ASPECT OF REFORMED JUDAISM," DETROIT, 1903.

As a member of this body, I move

1. That this Conference, before it adjourns, appoint a committee charged with preparing the Creed of Reformed Judaism, which work shall consist of a brief text and an exhaustive historical and

theological commentary in language accessible to the educated classes, using, if it so choose, the draft herein presented as a basis.

2. That the Committee report in manuscript to the Conference meeting next year.

3. That the Conference, after adopting the work prepared by the committee, or a similar work, lay the Creed before a Synod to be convened in 1905, for confirmation.

4. That the Synod then to be convened consist of one-fifth of the members of this body duly elected in the Conference, and of an equal number of laymen elected by the *Union of American Hebrew Congregations,* and that two-thirds of the membership of the Synod constitute a majority of votes.

5. That the presiding officer of the Synod be a member of the Conference.

6. That the Synod promulgate the Creed presented to it by the Conference as the CREED OF THE REFORMED JEWISH CHURCH OF AMERICA, and that the Synod act upon other matters only when presented to it by the Conference, but not of its own initiative.

7. That the Synod, constituted and elected in the same manner as for its first convention, meet hereafter every five years and act on matters laid before it by the Conference, and that the quinquennial conventions be particularly charged with the revision of the Creed if such revision is recommended by the Conference.

8. That the Conference have a standing committee on Creed and Doctrinal Matters.

FROM MESSAGE OF DR. JOS. KRAUSKOPF, PRESIDENT OF CENTRAL CONFERENCE OF AMERICAN RABBIS, TO THE FIFTEENTH ANNUAL CONVENTION, LOUISVILLE, KY., JUNE 27, 1904.

I strongly recommend that at this session the Conference enter seriously upon the formation of a *Synod.* Our late lamented leader and founder, Dr. Wise, whose comprehensive grasp of American Jewish problems is a marvel to every student of American Jewish history, and whose prevision of events calls forth to-day the admiration of even one-time foes, realized the necessity for a synod more than a quarter of a century ago, if not earlier, and

it was mainly in its interest that he organized this Conference. With the changes of time, old forms and institutions lose their one-time accepted binding authority. New ones arise to take their place, and the old never having been authoritatively discarded or the new authoritatively accepted, the Rabbi often finds himself in a quandary. Time and again, he is thrown upon his own resources for decision, and his conclusions frequently conflict with the preferences of others, in some instances being diametrically opposite to those of Rabbis, even of his own school. Much of the contention and embarrassment arising from so chaotic a state of affairs could be obviated by synodal decision. Instances might be cited to substantiate this statement, the most familiar one perhaps being the action taken by this body some years ago with regard to the rite of admission of Non-Jews into the Jewish covenant. There are a score of questions of greater or less importance that require synodal decision to relieve the Rabbi of considerable perplexity and the Jewish community in general of much annoyance. To cite only one case, there is the question as to what constitutes conversion to Judaism on the part of a Non-Jewish woman. A case in point came before the court in Philadelphia but a few days past, and is worthy of being briefly quoted: A certain sum of money was left by will to a son on the condition that he marry a Jewess. He married a lady of Non-Jewish birth, but who embraced Judaism prior to her entering into the marital state. The son's right to a share of the money was denied on the ground that he had married a Non-Jewess, the opposing attorney claiming in open court that he could not conceive "how a Jew could be made out of a Gentile." Then there is the vexing question of the burial of Non-Jews in Jewish cemeteries. Jews and Jewesses have married outside of the faith, and in all probability will continue to do so, without the Non-Jewish party entering the Jewish faith. Frequently burial lots are purchased by the Jewish party of such union. In case of the death of a child of such an alliance or that of the Non-Jewish spouse, burial is by many Jewish cemeteries denied on the ground that the right of burial within the cemetery is to be granted to Jews only. Serious difficulties ensue, and frequently appeal is made to the courts. The Rabbi's decision is asked, but, even when given, it can only be that of an individual

and can therefore have but little weight. Like unto these, many other questions arise that need synodal action.

We have shrunk from the word *synod* as if it were some secret foe of Israel, and by shrinking from it we have but exposed ourselves to real and open foes. What we really shrink from is the fear lest we create for ourselves a Vatican, and voluntarily place ourselves under the tyranny of ecclesiastical bondage. But that, as I have already endeavored to point out, is an impossibility in Israel. Enough for us to have decisions rendered on ritual or liturgical or vital religious questions, after mature study and deliberation by an authoritative body such as this, merely for guidance, to be followed or not, in accordance with the independent judgment of each individual or community.

And such quasi authoritative conclusions could possibly be reached in accord with a plan something like this: A standing committee of seven, designated as the *Synodal Committee,* to be elected by the Executive Board. Synodal questions are to be assigned to that committee, at least a year or two before their presentment, that they may be thoroughly considered from the standpoint of Jewish law, literature, decision and opinion. After having been thus considered by the Synodal Committee, the questions are to be submitted to the Conference together with a digest of the material on the subject. For the discussion of synodal questions the Conference is to be divided so that it shall comprise an upper and a lower house. The upper house is to be composed of such Rabbis as have been actively in the ministry at least fifteen years, those who have ministered less than that period to serve as members of the lower house. Synodal questions are to be discussed independently in each house, and the conclusions arrived at to be presented before the entire Conference, for discussion and ultimate decision. The younger members will then not be awed by the older nor the older carried away by the impetuosity of the younger, each profiting from the other, as the Rabbis taught, אשרי הדור שהגדולים נשמעים לקטנים קל וחומר קטנים לגדולים

This may be one method, there may be other and better ones. The best will undoubtedly be given us by our colleague, Dr. Enelow,

"Happy the generation in which the old listen to the young, and happier still the generation in which the young listen to the old."

who has given the subject much study and research, more especially within the past year. We trust that he will present a report at this session and that you will give it the attention it merits. It is true, mere mention of the creation of a synod will give rise to criticism and will probably call forth attack in quarters where innovation generally meets with hostile reception. Such has been the fate of every wholesome innovation during the past fifty years. Such was the fate of the introduction of a service in the vernacular, of the family-pew, of the organ, the Union Prayer-Book, the establishment of the Hebrew Union College, and what not. As reformers, ours is the duty to lead. Let those attack who will, in due time they will admire and follow.

REPORT OF THE COMMITTEE ON SYNOD, LOUISVILLE, 1904.

To the President and the Members of the Central Conference of American Rabbis, Louisville.

"A magnificent historical phenomenon," Geiger has called Judaism—*eine grossartige weltgeschichtliche Erscheinung.* We cannot ignore the fact that Judaism is an historical religion, with all its institutions and beliefs rooted in the past, and having gone through a long process of change and adaption. It were unwise and unworthy to undervalue the importance of this historicalness. To one who understands the secret of human institutions, and what constitutes the source of their influence and efficiency, the historical character of Judaism will at once appear to be its chief beauty and bulwark of strength. It is well, therefore, in the consideration of our immediate problems, to appraise them from the historical standpoint, and when we suggest a solution, nothing can stead us more than the certitude that our proposal tallies with the spirit of Judaism in the past. That we call true conservatism, not the insensate, superstitious sanctification of lifeless ceremonies and exploded creeds—the magnification of mummies—but the development and preservation of our faith in accord with the spirit of the past, and an honest adaptation of its time-honored institutions to the needs and duties of the present.

The intelligent Reform Jew should feel this obligation more deeply than his Orthodox brother. We have no quarrel with Orthodoxy; we have none with any religious organization. As far as inward religion is concerned (which is the only practical religion), it is essentially alike whatever its outward form. "God fulfils Himself in many ways." But when it comes to a philosophic or theoretic discussion of our religious problems and institutions, there is a wide gulf between Orthodoxy and Reform. It is a difference of method. Orthodoxy is guided by sentimental, unreasoning respect

for things as they are, and in its historic valuations exercises a certain arbitrariness of judgment. Reform, on the other hand, is pledged without prejudice to the historic method, looks upon the whole of Jewish history as an evolutional process, and in the examination of the contents of Judaism seeks to ascertain the fundamentals, and to trace the growth and the decay of doctrines, as well as the meaning and the life of ecclesiastic institutions. Wholeness of conception, largeness of interpretation, forms the excellence of Reform Judaism. The spirit of things, whether ideas or institutions, is its proper study. *Lo bizekhuth aboth hu ba ella bizekhuth ha-tora*—"the messianic redemption will not come by the merit of the Fathers but by the merit of the Tora." Not by inactive reliance on our past, and babbling about our traditions, but by absorption and development of the spirit of Judaism, shall we work out and fulfil our mission.

For this reason, it is our paramount duty in discussing the advisability of an American Jewish Synod, to ascertain what Jewish history has to say on the subject.

The Chairman of this Committee at the Buffalo Conference had the honor of presenting a paper on the Jewish Synod. It was of a purely historical nature. It did not enter into a discussion of the feasibility of the institution at present. Indeed, it disclaimed any desire to do so. The author at the time was anxious in a dispassionate way to present the results of an historic inquiry. And this is what his study demonstrated:

(1) The Synod is a typical Jewish institution, found at every critical juncture of Israel's history from the time of Moses down.

(2) Though the Synod in Israel has not formed a continuous institution, suffering interruption and discontinuance again and again, it is an autochthonic institution, and has been resuscitated and reorganized at different periods according to the needs of time and place.

(3) The Synod is found especially at the crossways of history, at periods of change and transition; wherever there is need of clarification and reformation in the religious life, and wherever new conditions tend to create confusion and anarchy without the intercession and leadership of a central council. On such occasions, the Synod has served as clearing-house of ideas, and secured order and definiteness of purpose and policy where otherwise chaos would have ensued.

(4) The Jewish Synod has always comprised representatives from the Laity and the Scholars—the specially trained theologians and the community at large. This combined representation has differentiated the Synods from mere rabbinic conferences.

(5) The Synods, particularly in Europe, concerned themselves almost exclusively with the regulation of Jewish practice, and the furtherance and surveillance of communal affairs. Questions of doctrine it has always been Jewish custom to leave to the authoritative decision of prominent rabbis. Hence, the copious rabbinic literature of the middle age.

(6) The Synod in Israel never attempted to force its decrees or enactments on any community not represented at its convention. As for those represented, they, by the very act of participation, pledged themselves morally to the support of the Tekanoth, which in all instances they did. Sometimes communities and rabbis not represented were solicited for their approval of the Tekanoth adopted at a certain Synod, the securing of which rendered the new signatories amenable to their observance. Within the communities so obligated, every individual was held accountable. Infringement of the Tekanoth was threatened with the ban.

Now the question presents itself: Is there anything of so radical, critical a character going on in American Judaism as to suggest or necessitate the creation of an American Jewish Synod? Surely, our religious life is undergoing, and for several decades has been undergoing, a very critical transmutation. Certainly as critical as the change which produced a Synedrion at Yamnia and in Babylon, and which necessitated the repeated convocation of Synods in medieval Germany and France and Spain, and gave birth to the Polish Synods. Our problems may not be of the same character as those that confronted the Synods just named, seeing that our political and social status has changed completely and that the latter entered very largely into the Synodal programs; but they are none the less vital and none the less loudly call for proper solution.

It is the German Synods of the last century, the Synods of Leipsic and Augsburg (1869 and 1871) that had to deal with questions most closely resembling those confronting us. Those questions hardly need to be restated; every careful observer knows them. It is simply that we are living in a condition of uncertainty. Some call it anarchy. The better and truer way of stating it, is to say that we are passing through a period of transition. At such a period it is natural that the need of a central organization for the regulation (as far as possible) of our religious life, for the coherent presentation of our purpose in the world, and for the supervision of our larger communal affairs should be expressed on all hands.

It is significant that at the last Convention of the Central Conference of American Rabbis the plea for a central organization should have come from three different sources—the President of the Conference, the Chairman of the Sabbath Commission, and the author of the learned paper on the Theology of Reformed Judaism. It is felt by these gentlemen, and a great many others concur with them, that what American Judaism needs most for its self-clarification, for the crystallization of its ideas, for the advancement of its mission, and for the unification of its adherents, is a central institution, a national council or Synod.

It is well to remember that this cry is not of yesterday, or the day before. Indeed, the first man to point out the desirability of a Synod in this country was Dr. Wise, of blessed memory. It was he, who was not only scholar but also far-sighted leader, that recognized the essentiality of a Synod for a sure and steady development of Judaism in this free land. The Cleveland Con-

ference of 1855 admittedly was but a stepping-stone to a Synod. Its platform confessed itself as such. "The Conference of the rabbis and congregational delegates, assembled in Cleveland, actuated by the earnest desire to preserve the union of Israel and its religion by mutual understanding and union, and convinced that the organization of a Synod is the most efficient means to attain this sacred aim, whose legality and utility is taught in the Bible, Talmud, and history, consider it their duty to convene a Synod and call upon the American Jewish Congregations in an extra circular to send their ministers and delegates to the said Synod."

Thus ran the declaration. That the times were not ripe and circumstances inauspicious for the successful consummation of the project, we all know. We know what a time of dissension, what an age of animosities that was. Not out of such could the Synod come.

The failure of the Synod project led to the advocacy and the eventual formation of the two separate organizations American Judaism now possesses, the Union of American Hebrew Congregations (1873) and the Central Conference of American Rabbis (1889). The establishment of these distinct associations really meant the subdivision of the hypothetical Synod. Suppose the two bodies to act together on any subject of vital concern, and you would have a Synod in the historic sense of the term. None will deny, however, that as separate institutions both have accomplished incalculable good—the Union by way of solidifying the congregational life of American Jews, and fostering educational movements; the Conference in bringing about harmony and unity among the rabbis of the country, raising the dignity of the Jewish ministry, clarifying several important points of modern Jewish doctrine, simplifying and unifying our order of worship, and in diverse other ways securing the welfare and stimulating and directing the energies of our religion.

The cry at present, it would seem, is for concerted action. The Union is in its nature an organization of laymen, while the Conference is one of theologians; at least, that is what the community at large thinks. There is the most accidental, if any, sort of coöperation between the two bodies. This in spite of the fact that both are devoted to the same cause ultimately, namely, the practical benefiting and advancement of American Judaism. For, while it is true that the Conference occasionally engages in purely academic discussions, and listens to scientific papers, none will deny that these latter, as far as the Conference is concerned, are but a means to an end. *Lo ha-Midrash iqqar ella ha-Maase.* The Conference is not a summer school of theology. Its purpose is practical. While, on the other hand, the Union, in its endeavors to solve our communal problems and to serve our sacred cause, is rather anxious, one would judge, to act in accord with the spirit of enlightened Judaism as revealed by thorough study and interpreted by expert opinion.

Naught would seem more natural, therefore, than that such coöperation should be brought about. Not only would it mean the consummation of the

original plan of the founder, but it would give American Israel—that part of it we represent—a central organization of the character Jewish Synods have ever possessed.

There seems to exist a great deal of dread of the Synod. The word is ominous, unpopular. Much of this prevalent apprehension must be set down as superstition. It is certainly groundless. Synod means council, and, as indicated above, it has again and again existed in Israel. It has never done any harm. History tells us nothing to that effect. One cannot even cite instances where Jewish Synods had acted as heresy-hunters or theologic policemen. All these fears and phrases are imported. Because such things have happened, and do happen, in the Synods of other faiths, some imagine that heresy-hunting and the manufacture of ironclad creeds are part and parcel of such an institution. But such apprehensions are set at naught by the entire history of the Jewish Synods, which, as a rule, were not tribunals of judgment or formulators of faith, but rather organs of communal activity and progress.

This is not to say that a modern Synod might not, if it deemed it advisable to do so, issue an authorized statement as to the nature of Judaism, and the doctrines of its belief. We must, again, bear in mind that the needs and tasks of Israel have changed from age to age, and if to formulate our faith, or to restate our doctrines, be our chief need to-day, both for the sake of clearing up the minds of our own brethren and for the enlightenment and persuasion of the world, there would be no reason why a Synod should not assume that high responsibility, and it would be a shame to play the ostrich and hide our heads in the sands of indifference. Nor would the issuance of such a statement by the Synod, embodying the best thought of the best men we could marshal, involve any one differing from it in the awfully and solemnly prognosticated calamity of excommunication. The Synod would depend for its triumphs upon the compulsive and conquering power of Truth, and the measure of Truth represented by it would be the guarantee of its success. Spiritual despotism and ecclesiastic coercion would lie outside its province.

It must be noted, moreover, that the medieval ban which fills some of us with ghastly fear, was really an outgrowth of the social and political position of the Jews and was not employed, primarily like excommunication in other churches, as a weapon against heretics. The medieval Jews formed a separate community wherever they lived, and had a judicial system of their own which governed all their internal relations. It was necessary that they should have a special punitory system to give effect to their courts, and it is of this latter that the ban constituted a part. It was the medieval Jewish way of segregating an offender, and corresponded in purpose to modern incarceration. With the collapse of the Ghetto and its courts of justice, the ban also was doomed. All efforts to endamage the synodal idea by appeals to the modern dread and disapproval of excommunication lack historical support, which even the cases of Uriel Acosta and Spinoza cannot furnish.

Ofttimes one hears remarks by men posing as representatives of the older German Reform movement, posing as the only true-blue, true-bred Reform rabbis, as if the Synod idea were a purely American invention, a vagary of the young dreamers of this Republic, an aberrancy of the young decadents. No Synod, they boast, as long as there are German-bred rabbis among us! None would say a word of detraction concerning the German masters and pioneers of Reform Judaism—none that has drunk of their waters and marveled at their wisdom. But let us not falsify them! The fact is that the need of a modern Jewish Synod, for the careful regulation of our transforming religious life, was first perceived and eloquently advocated in Germany. It was there that the communal conscience, in days when it was still quick to the requirements and sanctity of Judaism, clamored for a Synod, and made every innovation in the polity and practice of individual congregations subject to the ultimate approval of a general council. It was in Germany that the two Synods Reform Judaism has ever had were held, the Synods of Leipsic and Augsburg, at both of which that illustrious philosopher and idealist, that loyal and eloquent Jew, Professor Lazarus, presided, with Abraham Geiger, the Ezra of Reform Judaism, as Vice-President. That the Synod was discontinued in Germany proves nothing against its character and does not write failure across its name for all time to come. For even so we know that the rabbinical conferences did not last in Germany, and yet the Central Conference of American Rabbis has shown the feasibility and fruitfulness of such an institution. It does not follow from the fate of the German Synods that a similar American institution would be short-lived.

Neither is the utility of a Synod disproved by the fact that this or that enactment of any previous Synod a generation afterward may have been ignored or overlooked, and the discussion thereof reopened. The Jewish Synod has never claimed finality for its opinions, has never legislated for all times, and history shows that our Synods again and again have altered or amended or reaffirmed the enactments of their predecessors. This has saved the Jewish Synod from ecclesiastic despotism and the presumption of infallibility, and has preserved for it the character of a deliberative and advisory institution, adaptable to the times, and expressive at the several periods and in different countries of the communal conscience and needs of Israel.

Some, however, rebel against the synodal institution on the ground that it may narrow or confine Judaism. It is affirmed that Judaism is broad beyond measure, that it is a philosophy, an ethical principle, a mission, and such like, and that it cannot be promoted by the pronouncements of Synods. But we must remember that whatever be the foundation and the goal of Judaism, be it purely philosophical or ethical or anything else, it is presented by us to the world as a religion. And a religion cannot thrive on the mere abstract concepts of a few highly trained philosophic minds, or the remote visions of idealists.

We must bear in mind that the religion the Prophets taught was not

uttered as mere abstract speculation or philosophic idealism, but had a definite social setting and political background, and was founded on a theology the chief elements of which were commonly accepted. Any student of the Bible, with critical insight, can derive from the messages of the Prophets their theologic creed, which, it may be stated in general, had its foundation in national history, even though in the long run it outgrew the national frame. It is idle to deny, and foolish to forget, that in biblical times the Nation was the visible centre, the soul of Israel's religion, and that the Prophets sought to make the national institutions the vehicle of their religious ideas. Similarly, it cannot be gainsaid that throughout the subsequent history of Israel the national sentiment formed not only the hope, but also the centre of Jewish life. Subconsciously there lurked in every Jewish heart the conviction that somewhere in the distant future the miraculously reëstablished Jewish State would form the centre of Judaism. That fundamental concept was never absent; it was the mainspring of the Jewish creed; and without direct or indirect reference to it no Jewish philosophy was written. This is to say, that if the Prophets in biblical times and the philosophers of the middle age did not advocate the establishment of any specific ecclesiastic institution, it was not because they held that Judaism was merely an intellectual and spiritual theory, and could, nay must, do without any visible organization, but rather because with them the organization behind Judaism was the Nation—either real or imaginary. This, of course, does not mean that their religious outlook was narrowly national; for the religion of the Prophets stood for the broadest universalism. But the Nation was looked on as the centre from which the religion was to issue into the world, its practical organization, its instrument of work.

It is only Reform Judaism that has consciously and unequivocally cut loose from the National conception of Israel's destiny. Aforetime this non-nationalist idea of Judaism may have existed in germ, but Reform Judaism has brought it into full efflorescence. Israel, we maintain, is a Church, in the broad sense of the term; in the sense that was uppermost in Ezra's mind after the Return, and in the minds of the Pharisaic masters, and of the ethical teachers of the middle age, only without all those national appendages which clung to their ideas. We realize that a religion can work best, and on a broader scale, without wearing a national uniform. We realize that a spiritual community is higher and more lasting than a political state. And a spiritual community is a Church. The stronger, the larger, and the better organized such a church is, the better the chances of victory for the religion it incarnates and seeks to advance.

On this subject some observations of Professor Toy may be helpful.

"The conquering religion," he says in his famous book, "Judaism and Christianity," "offers what is needed in the way of precision and organization. It will possess not only a general fundamental religious idea, but also the framework necessary to give it popular acceptation. A simple ethical-religious conception, however broad and pure, is usually neither intelligible

nor acceptable to the masses of men; they demand in addition a drapery of processes and forms, a certain quantity of machinery, a routine by which life may be ordered. There is no instance on record of wide popular acceptance of a religious system whose essence was merely a principle of the inward life; there is no reason to suppose that a reformer who should confine himself to this subjective ethical-religious sphere would be successful unless his work were supplemented . . . A conquering religion must be a church if it is to have a visible organized victory."

It is certainly true that Reform Judaism has these many decades been protesting that Israel has naught save a religious mission. If so, it is our duty to provide ourselves with all those institutions and instruments which are indispensable to the success of a religion. It has become impossible to continue to halt between the two opinions: Is Israel a Nation or a Church? Not alone for the spread of Judaism in the world, but also for the sake of the continued loyalty of those born within Israel's household, we must come to clear decisions, and have a crystallization of ideas. Otherwise, we shall remain, like the old man in the Talmudic story, *kereah mikkan wekereah mikkan,* "bald from here and bald from there."

The fact is that the Synod has shown its usefulness and necessitousness as a communal institution, not as supervisor or dictator of the individual conscience, not as instructor of individual disciples, but rather as upbuilder and guardian of the larger work of Israel. According to the needs of the age its interests have changed, and must change; but it must be the centre of the Jewish community. The truth is that no matter how spiritual a program you may have before you, you must have institutions through which to work it out. "Whoever appoints a place for his Tora, his enemies shall fall under him," R. Simeon b. Yohai is reported to have said: *Kol ha-qobea maqom letoratho oyebhaw nophelin tahtaw.* The Synod is designated for the advancement of Israel's cause, of his corporate welfare. Dr. Schreiner has well said in his noteworthy book (*"Die jüngsten Urteile"*): "The originally non-Jewish concepts which have crept into Judaism reached permanent importance only when they were adopted into Judaism by prominent teachers of the Synagogue. And (this is true of the entire history of Judaism) Judaism through its institutions introduces every individual right into the heart of the historical life of the Jewish community." It is in this sense, we take it, that Dr. Wise has written of the conference which was to pave the way for a Synod. "We convened the Conference in Cleveland to bring life into all congregations, so that the one may not remain stagnant while the others, reforming head over heels, break with the history of our people."

We can well imagine that had there been a Synod in American Israel these fifty years, an institution which conscientiously and cautiously would have led our congregations—not by coercion but by united thought and counsel—through the period of transformation, our reforms would not have come so thick and threefold; but think, on the other hand, how much confusion and laxity and egoistic perversion we might have been spared! Haste is

waste. Israel is not atomistic congregationalism. It is not only a collection of separate synagogues, but a community; there is such a thing as *Keneseth Yisrael,* we believe, with a communal mission. And such a community ought to have a central organ of work and influence, call it by whatever name you choose. "The Synod," Dr. Lazarus said at Augsburg, "must care not only for the daily bread of the petty burning questions, but for the real and genuine growth of the ideas in Judaism, those that shall sprout in the future." The Synod must be the Zion of Judaism, particularly of Judaism detached from political Zionism. It must be the heart of the Jewish community.

We believe that the Conference, which has hitherto successfully accomplished difficult tasks, should now address itself to the formation of such a central body as has been indicated. There has been ample evidence of late years that members of the Conference, some if not all, believe the times ripe for this important step. At the last convention, as has been said, the same suggestion came from three sources. In other quarters, also, the question of the establishment of a central organization has been mooted. There is no reason why to such a central body the time-honored name Synod should not be given, a name fraught with meaning in Jewish history, despite the fact that it is the style now to hold it up as a bogey. It is not likely, of course, that the work of a Jewish Synod in America would reproduce or parallel the work of any previous Synod in the Old World. Our conditions of life have changed, and so have our tasks. But to any one deeply interested in the purposes and the spiritual program of Judaism it must be plain how many duties would and could fall within the scope of such a council, and how much good it might effect. The propaganda of Judaism, the spread of it among Jews and non-Jews, the securing of its future, as well as its support in the present—such would be the larger items on the program. And such work can, and ought to, be done by a representative body of Jews, representing both the laity and the ministry, the scholars and the men of affairs—a democratic institution such as shall befit the spirit of our country and our religion.

Neither shall such an institution be hurt by having the hated word ecclesiasticism flung at it. For it will not be guilty—it will make it its business not to be guilty—of any ecclesiasticism in the bad sense: of any heresy-hunting, creed-clubbing, intellectual despotism, or the monopoly of heaven. On the other hand, it will be an ecclesiastic institution in the proper sense, representing the Church of Israel—*Keneseth Yisrael*—thus emphasizing the true character and mission of the denationalized Jew and doing all in its power to accomplish his mission in the world. The world lives by its institutions. Influences are spread through them. The Jew needs a central institution. If Israel is a Nation, it must be Zion. If Israel is a Church, it must be a Synod. We have no patience with those who maintain that Israel is neither Nation nor Church, but an indefinable something. Of course, indefinable somethings need no representative institutions; but neither can they thrive and win the world.

We repeat, the Conference should address itself to this task of forming a

central administrative body for American Judaism. This is as much as we can do for our religion. An ecumenical Synod is out of the question at present, though there is no reason why that should be so forever. *Lo alekha ha-Melakha ligemor welo ata bhen horin lehibatel mimmena.* The start must be made somewhere. And if it be true, as a great many believe, that the future of Judaism lies in America, then a strong central institution in this country must prove of ever growing importance to the cause of our ancestral religion. Nor does it seem possible to deny that the form of Judaism to which the Jew in America will continue to gravitate is Reform Judaism, no matter how hard our Tories and Rip Van Winkles may try to resuscitate the things that are dead and with the magic wand of Romance, and argumentative conjuration, seek to revive deceased ceremonies and institutions long interred. With America's assumption of the hegemony in Israel shall grow the importance of Reform Judaism and its central organization.

And for the founding of such an institution the times were never so auspicious. We have a sufficient sense of unity developed among the rabbis, and a large number of earnest devotees of the cause; and likewise, there is a considerable contingent of laymen in our congregations who are enlightened enough, and very enthusiastic, to help further and upbuild the holy work of Israel.

The following plan of organization is therefore suggested:

(1) The Central Conference of American Rabbis and the Union of American Hebrew Congregations shall conjointly form the American Jewish Synod.

(2) Neither of the constituent bodies of the American Jewish Synod shall by this act of confederation lose its identity or discontinue its periodic conventions and regular activity.

(3) The Synod shall consist of one-fifth of the members of the Conference and an equal number of laymen from the Union, all duly elected. Two-thirds of the membership of the Synod shall constitute a majority of votes.

(4) The Synod shall meet every five years for the consideration of questions submitted to it by either the Conference or the Union.

(5) The Synod shall have an executive board of at least ten men, consisting of the President, who shall be a member of the Conference, and five members from the Conference and four members from the Union.

The general task of the Synod may be summed up in one of the paragraphs framed by the Synod of Augsburg:

"The Synod shall aim to be an organ of the development (now taking place). Through it the convictions and aspirations that animate modern Judaism shall find definite expression. With a clear purpose it shall work to the end that the transformation for many decades striven after in Judaism shall be guided as far as possible by an harmonious spirit and be led to a successful consummation with the utmost possible regard for the needs of all our coreligionists. It shall guard the ties of union now encircling our fellows in religion against loosening, and according to its powers advance our common, higher interests in life and learning."

And again: "The Synod arrogates for its decisions no other authority save that which springs from the power of truth, of holy zeal, and strong conviction; but it is aware that this force, which is the only kind to be exercised in the realm of religion, is irresistible, and will, in the long run, despite difficulties and obstacles, gain the victory."

It may be well to conclude with the remark of Mr. Israel Abrahams, the eminent scholar, anent the suggestion of the President of the Central Conference of American Rabbis at last year's convention: "This is an important proposal," Mr. Abrahams says concerning the Synod, "and one that ought to be fruitful of much good. We badly need, everywhere in Judaism, that joint lay and clerical authority which alone can win acceptance. The problems of to-day can only be solved by the combined wisdom and experience of the men of affairs and the men of books. To lay down decisions as to what is or is not permissible under modern conditions of Jewish life—this is a thoroughly desirable purpose which a Synod might serve."

May the Central Conference of American Rabbis be granted the wisdom and power to father such an institution!

Respectfully submitted,

H. G. ENELOW, *Chairman.*

MAJORITY AND MINORITY REPORTS ON SYNOD QUESTION, LOUISVILLE, 1904.

MAJORITY REPORT.

Ad. I. It is becoming more and more apparent that a central religious organization is needed in American Israel. Questions of religious, ethical and communal import are arising constantly which should be considered and pronounced upon by such a body. A synod consisting of rabbis and of delegates from the people is a historic and traditional institution in Israel. We therefore endorse the recommendation of the President referring to this need. Such synod shall not be an ecclesiastical court with power to dictate to the individual conscience, to restrict or interfere in any wise with freedom of either belief or conduct. The purpose of such a synod, in our judgment, is to guide by a consensus of academic and practical wisdom and thereby educate Jewish public opinion.

We recommend that a pamphlet be prepared by the Executive Committee containing the paper on Synod read by Dr. Enelow at Buffalo, the suggestions contained in the messages of Presidents Silverman and Krauskopf at Detroit and Louisville, the suggestions made in the report of the Sabbath Commission presented at the Detroit Conference, the remarks in Dr. Margolis' paper on "Theological Aspects of Reformed Judaism," the report of the Committee on Synod submitted at Louisville, Dr. Felsenthal's paper on "Some Jewish Questions," the majority and minority reports on recommendation No. 1 of President Krauskopf's message, together with such other expla-

natory material as the Committee shall deem necessary; five thousand copies of the same shall be printed and distributed so as to bring the matter before the Jewish people of this country and thus enable them to form an intelligent judgment on the subject.

We recommend that the Executive Committee of the Conference take the necessary steps preparatory to the convening of a preliminary meeting to effect the organization of a synod in conformity with these principles.

DAVID PHILIPSON.
MAX HELLER.
JOSEPH STOLZ.
MAX MARGOLIS.
MAURICE H. HARRIS.

MINORITY REPORT.

There are certain parts in the report in regard to which we disagree from the majority, and to which we cannot subscribe. Foremost among these parts is the proposition to create a central institution to be called "a synod." There is no necessity of pursuing such centralizing tendencies in American Israel. If, for practical purposes, and *only* for practical purposes—we mean, for such purposes which concern the welfare of Israel in general, conjoint action becomes necessary, then let conferences *ad hoc* be called. But a standing central synod is, we repeat, unnecessary. Furthermore, the synod idea, in its very *kernel,* is a dangerous one. Insignificant as at present the idea may appear, and innocent as it may look to the furtive observer, yet, if we examine the matter more closely, we must conclude that there is poison in that seed, and this poison may spread out and produce in coming times ills and dangers to American Israel not yet dreamt of. To the words, "a synod for American Israel," a very bad odor has become attached during the last fifty years. While in other parts of the world and at other times in history the word synod may have had an innocent meaning, in America it embodies the idea of being a central power to regulate not merely outward practical measures for the benefit of the American portion of the Jewish people but it has, since 1855, when the so-called Cleveland platform was constructed, and ever since days prior to 1855, received the sense of being an institution by which the religious opinions and the religious practices of congregations, their members and their officers shall be governed and guided. A hasty glance upon the Cleveland platform will show that great dangers were there in an embryonic state in that platform. Furthermore, do we not remember that at later times, again and again, even within the last few years, endeavors have been made, and the demand has been accentuated, to publish a "Union Catechism," to formulate a crystallized creed, to bring about a uniformed American Israel in matters spiritual and exclusively religious, in matters which should forever be left to the individual?

It is possible, yea, it is likely, that at present the advocates of a formation

of a synod for the Jews in America have not the remotest idea of thereby creating a vehicle for the suppression of free thought and for creating obstacles hindering free organic development of thoughts and endeavors within Israel; and yet in future times the intended central power may easily degenerate and may become truly dangerous. It may enslave the minds, may cripple the free mental activities, it may diminish or weaken the possibilities for sound and true progress.

It is wise to oppose bad movements in their very beginnings. *Principiis obsta!* is a wise saying, which has come down to us from olden times. Kill off bad propositions when they are still in an embryonic state. After such propositions have once been adopted, and after they have grown somewhat, it may be a difficult task to kill them and to exterminate them as they deserve. Therefore, kill them in the very beginning! Burn them in a very heated furnace! Bury them deeply in a grave from which there is no resurrection for such mediæval specters! There is death in the pot. Throw it away as far as you can. Throw it away!

In the haste in which these remarks have been penned, we could impossibly enlarge more on the topic and enter into a closer examination of the ideas expressed in this matter in the majority report. We refer, however, once more to the paper read last Monday by one of the signers of the present report, namely, by Dr. B. Felsenthal, before the Central Conference in open session.

Respectfully,
B. FELSENTHAL.
SAMUEL SALE.
T. SCHANFARBER.

עת לדבר

THOUGHTS CONCERNING SOME JEWISH QUESTIONS OF THE DAY.

(Paper read before the Central Conference of American Rabbis, June 27, 1904.)

By B. FELSENTHAL.

During the last few years some highly important questions have been discussed amidst the Central Conference of American Rabbis, among them the questions, What is the true theological aspect of our Judaism? What are the essential dogmas of the same? Shall we, or shall we not, distinctly formulate these dogmas, find for them clear and sharp-cut words, and proclaim them before all the world as our Articles of Faith? Shall we, or shall we not, create a Jewish Synod, and endow it with ecclesiastical powers, which Synod shall

give an official sanction to the dogmas agreed upon, and which shall have the highest authority to promulgate other doctrines whenever found advisable to do so, and to enact other laws binding for the Jewish people under its jurisdiction?

Answers to these questions have been given by eminent and influential members of the Central Conference, which, if they should be concurred in by the majority, might bring forth exceedingly harmful results, aye, destructive results, and which might expose American Israel to the danger of becoming disrupted.

Considering that these topics, lately brought forward for discussion and for the purpose of taking action thereon, are of the utmost importance, I hope, dear friends and colleagues, that you will not regard it as improper, if I now venture to contribute my little mite to this discussion, and I would ask you to receive friendly the paper which I am going to read before you and to refer it to the proper committee with the instruction to report on it in the next annual meeting of the Central Conference.

Let me now proceed to submit to you my views of and thoughts on the subject matter under consideration.

1. Israel is not merely what is called "a church," not merely a religious denomination at the side of other, non-Israelitic denominations. It is perfectly unhistoric and unscientific to assert that Israel is "a church" only. It is a *people* united by the ties of racial affinity, and everyone who is a descendant of Jewish parents belongs to the house of Israel. In other words, he is a Jew. Whether such a one is a mystic or a rationalist, a believer or an infidel, a so-called Reformer or a so-called Orthodox; whether he joins this or that congregation or whether he neglects, or refuses, to join any congregation whatsoever, he is and he remains a Jew.

2. "Judaism" an abstract noun derived from the concrete noun "Jew"—denotes, in its narrower sense, the sum total of all the religious thoughts, sentiments, hopes and aspirations, which the national soul of the Jewish people in the course of its history brought forth, and which in the course of the centuries were subject to the laws of evolution and underwent many gradual changes. "Judaism" furthermore includes laws, institutions, usages, etc., which were produced by the national mental life of the Jews, or were created by the

necessity of existing conditions, and which also were, and still are, subject to the laws of gradual evolution.

3. First were the Jews, and then came, as a production by the Jews, what is called Judaism. Without Jews there is no Judaism; without a Jewish people there is no Jewish Church.

4. The Jewish religion teaches certain thoughts and fosters certain sentiments and hopes, which are of a universal character, which have won already a firm foothold amongst the civilized nations, and which, together with certain other thoughts and sentiments and hopes, produced by non-Jewish nations, will become the common property of all mankind. Shem and Japhet will build unitedly the city of the future whose name will be *Adonai Shamah,* and harmoniously working together they will create a new mankind which will be called *Hephzibah.* And if we would stretch somewhat the biblical ethnology and would include Japan in the Ham division of mankind, might we not then suppose that Ham too will come forward with some building material for the new city, and will furnish some co-workers in lifting up the human race to loftier heights, to the heights of a new and better mankind?

However mankind is, and will forever remain, divided and subdivided into various branches, into different nations. And as their languages will forever be different, so the outward manifestations of their religions, their festivals, their ceremonies, their forms of worship, etc., will forever remain different. And in so far Judaism is a national religion, and evidently it will continue to be a national religion, with a specific national Jewish garb, and it ought to remain one as long as there will be a separate and distinct class of people in the world called the Jewish people, or the Jewish nation.

5. There are some Jews in our present time who deny the plain fact, so clear to every unbiased and competent observer, that there *is* an Israel in the world as an ethnic unity, and that an Israel really exists as a separate and distinct racial family.* These men—it is, indeed difficult to understand it—think that by their mere subtle, yet fallacious reasoning they could undo a divinely established *fact,* a

* A lucid and strictly scientific treatment of the subject by an acknowledged ethnological authority is to be found in A. Reibmayr's *Inzucht und Racenmischung beim Menschen.* Leipzig, 1897.

fact as clear as sunlight, and that by their mere saying so they could push out of the world a whole race and speak of it as not existing. And some of these men go even so far as to say that, if really a distinct Jewish people should exist, it ought not remain any longer standing aloof from other nations, it should allow itself to become disintegrated and it should disappear as such; in other words, it should become absorbed by the other nations among whom its members happen to live. Drawing the logical conclusions from such premises, it will necessarily follow that in our present times and in these United States a separate Jewish Church has no reason to be, and that, if nevertheless maintained, it is an anachronism and the most superfluous thing in the world. Is it not correct to say that the universal elements in Judaism or, as others call them, the prophetical elements in Judaism, as f. i. the doctrine of the fatherhood of God, the brotherhood of mankind, the sanctity of duty, the purity and nobility of our life's conduct, etc., are now-a-days also taught in the "liberal Churches" of the gentiles, and in thoughtful books and from the professorial chairs of non-Jewish philosophers and teachers? We thank God for these grand gentile teachers and for these grand liberal Churches. But we, conscious of our own and separate ethnic situation, we maintain our *separate* religious position, our "Jewish Church," as being adapted for us of the Jewish nation, and only for us Jews. We are not antagonistic towards other liberal and good nations and religious denominations. On the contrary. We acknowledge in them gladly our brethren, and our coworkers in erecting the Temple of Humanity. But we—we remain Jews.

6. In regard to the contemplated creation of a hierarchical body with legislative powers, which shall be the highest authority in all matters of dogmatics and of general religious life among the Jews, a firm and decided stand should be taken by the C. C. A. R., and in clear and unmistakable words it should declare, once for all, that we, the children of a modern world, living at the beginning of the twentieth century, will not, and never shall, accept a medieval system of a hierarchical government for the Jewish people. In the grand principle of perfect and unrestricted freedom for every individual to do his own thinking and to profess his own convictions, and to

search in his own ways for learning what is the truth, in this grand principle we recognize one of the highest and most valued results of the long warfare between the powers of light and the powers of darkness; between spiritual freedom and spiritual thraldom; between the dominion of an intelligent, democratic individualism and the dominion of an obscurant, spirit-killing clericalism.

This being so, we must say that, according to our deepest conviction, it is a very sad and a very deplorable fact that among an association of American Rabbis who claim to be the most enlightened, the most liberty-loving, the most progressive teachers of Judaism in all the world, that in the midst of this association some very erudite scholars and very respected gentlemen should have arisen who are so un-American as to advocate spiritual slavery for Israel and to plead for chaining free thought and for curtailing the opportunities for unhindered religious development. Indeed, it is a sorry sight to see such un-American Americans who move that we, modern men with modern ideas, should help them to resurrect from their graves such gruesome spectres of medieval times. A few years ago we thought it not possible that among Jewish-American freemen such retrogressive, night-born attempts should be made again. But alas! we were in error. Dark onslaughts on freedom of thought are made, and we grieve over this fact; and with us all liberty-loving Jews in Europe and in America, be they orthodox or reformed, feel sad on account for it. But let us hope, and let us work together unitedly and with energy, that the powers of night shall not prevail again in our midst and that, with God's help, no hierarchical Synod, no popes and no popelings, shall ever rule over us.

We protest likewise against all attempts of laying down final dogmas by an accidental majority in an assembly of "ordained" or "non-ordained" clergymen, or by a so-called Synod consisting partly of a number of Jewish "clergy" and partly of a number of Jewish "laymen." We acknowledge as a firm and self-evident principle that Israel, in consequence of a God-ordained fact, is a race united by national ties; further, that to every member of this race unrestricted freedom is to be granted and the indisputable right is to be accorded to have and to hold his own theological views and to shape his own ceremonial conduct in a wise it seems best and appears honest

to him. No one, be he an orthodox fanatic or a reform fanatic, shall have the power and authority—or shall we say, the impudence?—to arrogate to himself the right of commanding me, or you, what we must believe, or what, in Church matters, we must do or not do. As long as anyone of us, by having and holding our own theological views and by following our own honest ways and convictions regarding precepts of "the Church," is not encroaching upon the rights of his fellow-Israelites, and is not curtailing their freedom of religious thinking and religious manner of living, so long we must not be disturbed and interfered with by anyone. Within Israel, to a so-called Orthodox the same rights and privileges must be accorded as to a so-called Reformer, to the mystic Kabbalist or the neo-Chasidaic dissenter the same rights must be granted which are possessed by the talmudic Mithnagged or by the Jewish American opponent of the Talmud and the Shul-chan Arukh. Freedom for all! Toleration for all! Yes, toleration for all, except for the intolerant ones. This is what we demand, and upon this we shall insist. Not a one-headed pope do we want, nor a many-headed pope! And no schism within Israel must be brought about. United we are, united we will remain, and united we will step forward into the future. בנשרינו ובזקניגו נלך

A Synod? A hierarchical government? There is not the least necessity for such an institution. We thank for it. In the words of Heine (in his "Deutschland, ein Wintermährchen"): *"Bedenk ich die Sache ganz genau, So brauchen wir gar keinen Kaiser,"*—or, with changing the last word in this quotation: If I consider the matter more closely, I must conclude that we need neither a Synod, nor a formulated binding, crystallized Creed.

No, we need not a Synod, or an Ecumenical Council, or a Provincial Council, or any other hierarchical power above us to regulate our theological thinking, or to rule in our ecclesiastical domain. United we are without such anachronistic and antiliberal institutions,—we are united by the Creator himself who has put us into the world as a separate people and has made us as of one family. Within this people, or within this family, or by whatever other name you may call Israel, the inner life must never be gagged, never be hindered in its free, organic development. Harmony, mutual understanding, sound progress will come nevertheless. This Central Con-

ference which thus far has been only a deliberative body and which thus far did not possess any legislative or administrative powers, is sufficient proof of this. Did it lack in effectiveness? Did it, as a mere Conference, as a mere deliberative body corporate, not have deep and wide influence upon American Judaism? Has it not succeeded in achieving unity of ritual in a very large number of Jewish Congregations? And is it not clear that in the course of a few more years the Union Prayer Book will be adopted by still more congregations in the east and the west? Was any Synod required to bring this about? We might refer to other points, where the debates and resolutions of the Conference have brought forth practical results. Whether these results are in every instance good ones, or not, this is not to be discussed here. It is enough that we show here that a solely deliberating Conference is fully sufficient to achieve great visible results. The people grant willingly religious leadership to such a Conference. And why? Because the people see or believe that in the Conference greater learning and sounder expert knowledge is to be found than among the outsiders, the masses of the people; further, that wisdom of a high degree and piety of a true kind guide the members, and that, foremost of all, unselfishness and altruistic devotedness to sacred causes and to high ideals are prevailing among the eminent men who constitute the Conference. Let me add that, in my opinion, this Conference has been constructive and is therefore deserving praise in so far as its majority until now have withstood destructive attempts and have constantly been in favor of strengthening and fortifying the oneness of Israel in matters truly essential, in matters by which this oneness is manifested before the world.

As to a formulated *Creed,* is there really a pressing necessity for having one? *Must* we have one? What for? Many kinds of flowers bloom in God's garden, and many kinds of trees grow in God's orchard. The best way is, to leave metaphysics, speculative theology, dogmatics, and the like, to the individual philosophers and would-be philosophers, to the theologians, to men whose mental proclivities run that way. The great majority of the people, as we can easily notice every day, concern themselves very little with such speculations lying beyond their horizon. There is, we admit, here

and there someone to be found who has a natural liking for such "*graue Theorieen*"; there is here and there "*ein Kerl, der speculirt.*" And why not? *"Es muss auch solche Käuze geben."* Let them write to their hearts' content "philosophical" essays and metaphysical books; let them, if they are inclined to do so, publish Catechisms and teach therein their Creeds, their Articles of Faith; let them enter into the Pardes of the theological speculations, as the four Tannaim did, but out of which Pardes only Rabbi Akiba returned unhurt, and let them write books about what they saw in that Pardes, if their mind impels them to do it. But upon this we insist: Do not *force* your Catechisms, your philosophies, your Creeds upon others, unwilling to accept them, and do not ask a Synod, or a similar hierarchical body, to stamp them officially as the only true and correct ones. Concede to the others the right either to accept or to reject them, or, if they prefer to do so, to ignore them entirely. Let no such body be so conceited, or so arrogant and impudent, to claim for themselves ecclesiastical powers and to say to others, "You must accept *these* dogmas, you must teach *this* Catechism, you must preach *these* doctrines, you must believe *these* articles, and so forth, which we, the infallible saints of the holy Synod, proclaim as the only correct ones; if not, you will be heretics," etc.

7. Even as it exists now, the C. C. A. R. should disclaim for itself in words clear and loud, and in a manner which cannot be misunderstood and cannot be misconstrued, all desires for legislative prerogatives, it should say before all American Israel that it has no priestcraft's authority, and that nothing is farther from the Conference than the thought of assuming such an authority. It should furthermore proceed and explicitly say that it does not claim authority even over the minority of its own members who conscientiously vote *"No!"* when a motion of a general character is pending and is being voted upon, and that only in regard to such resolutions which concern the C. C. A. R. as a body corporate, as f. i. resolutions concerning time, place, and manner of the meetings, election of officers, printing of the minutes, and other similar matters, the minority has to abide by the resolutions passed by the majority. Aside from this, a member of the minority has the same unrestricted freedom of thinking and acting as any other Israelite has, who is not officially connected with

the Conference. He may pursue his own ways in matters of dogma and ceremonial practices which he considers right and proper, or he may follow such teachers whom he personally acknowledges to be his masters and who are considered by him as authorities, to whom in his own free will he submits. In ritual matters, to every congregation also the right must explicitly be accorded to act independently of the dictates of any Conference or Synod or any other similar would-be hierarchical power. Coercive measures in religious matters must forever remain things foreign and must forever be considered as un-Jewish within our midst. The only allowable means to propagate among the people such views in religious matters which we consider better, and to bring forth more warmth and enthusiasm for and adherence to really good religious usages in general and to the Synagogue especially, are the words of instruction and the good example set by our conduct and by our unselfish labors in behalf of the Good and the True, especially in behalf of a united Israel. We, the Rabbis, are *teachers* in Israel, nothing else, and we decidedly refuse to subscribe to the doctrine that a Rabbi belongs to a clergy who *as such* have powers and privileges which a non-Rabbi has not.

In conclusion I would once more refer to the onslaughts upon Israel's great treasure, viz.: the freedom of research and the liberty of thought, which onslaughts are made by the attempts to formulate a final Creed and to establish a Synod, and I would say to this Association:

הנה נתתי לפניך חיום את החירות ואת העבדות, את האור ואת החשך, את החיים הרוחנים ואת המות הרוחני ;ובחרת בחיים, ובאור, ובחירות!

MAX HELLER, 1904.

Do we need a Synod?

Would a Synod be helpful to American Judaism?

The answer to these questions will depend largely, if not altogether, upon what we mean by a Synod. If a Synod is to be an ecclesiastical council, substitute for an infallible Pope, if it is to be a body clothed with absolute authority to fix a creed and to prescribe religious statutes; if it is to decide who is and who is not to be considered a Jew; if it is to have power to prosecute heretics and to excommunicate, then we are all agreed to a man that we need and

want no such Synod. Jewish temperament and American atmosphere are alike intolerant of any such institution. The Christian denominations that attempt to enforce ecclesiastical discipline in matters of belief are only injuring themselves in the eyes of the public and losing hold upon their followers; while in Judaism even the darkest orthodoxy Russia must beware against employing coercion and insisting upon its authority.

It is raising the merest bugaboo to warn against hierarchy, spiritual slavery and sect-division, when the establishment of a Synod is proposed. Those who sound this warning misread altogether both the natural disposition of the American Jew and the unalterable conditions under which we live in this Western civilization. They should give due weight to the indisputable fact that there is not the remotest danger that the American Jew would ever tolerate the imposition of spiritual slavery. All over the occidental world, wherever spiritual authority is in the least organized among Jews, we find the authority assailed on all sides, eking out a precarious existence; the menace to our faith, a menace that threatens from Jewish independence as well as from the spiritual currents of the age, is the menace of individualism.

We need a Synod, if by Synod we mean not an ecclesiastic council, but a representative religious body that commands universal confidence by the weight of its wisdom and learning. We need a Synod not for the purpose of excommunicating Jews, but for communicating Judaism, not to split up into sects, but to crystallize scholarship and practical wisdom into something that shall guide the people.

Through the labors mostly of one man, our immortal Dr. Wise, the reform wing of American Judaism has attained to a measure of coöperation in its congregational union, its college and its conference. Out of this conference, largely again through the self-sacrifice of Dr. Wise who gave up his own Minhag America, there grew a certain measure of ritual uniformity in the almost universal adoption of the union prayer-book. This was the very first step from mere coöperation towards uniformity; the splitting up into innumerable private rituals had been the most absurd and burdensome outgrowth of rampant individualism which had, often, degenerated into the merest egoism. Here the American rabbi had to learn first to give

up that indulgence of idiosyncracy which means not freedom, but disintegration.

In the last years of Dr. Wise's long career it was his favorite dream to call a Synod and to formulate a creed. Being in touch with the people he felt that the excessive individualism of our pulpit and press had a confusing effect; he knew that the conference was too young a body, too liberal in its rules of membership to command, with the people in general, the necessary weight for its declarations. He appreciated the fact that among the people there is a desire for clearer and more definite teaching, that Judaism is weakened by the endless disagreements between those who are to teach it. He wished to place before the people an aggregate of truths and precepts, clearly formulated which shall have the endorsement of a representative, widely trusted, body.

It is easy enough to say that our Central Conference essentially fulfills these requirements. We may readily grant that the Conference is a gathering of capable men, of earnest workers; we may flatter ourselves that, as it pursues its steady way, it is growing in the esteem of the people, that its discussions and pronouncements are read more widely and regarded more highly year after year; yet it is beyond doubt that some men of the highest standing in the reform pulpit remain away from its deliberations and that a large portion of our press presumes to speak disdainfully of its work and standing. The motives for both attitudes we need not now investigate; the fact is sufficiently telling that such conduct should escape universal censure.

We need a Synod to put some sort of a stop to the prevailing anarchy. That every man should be doing what is right in his own eyes is a state of affairs which must be reprehensible in a faith that has a past, no matter how ideal a condition of things it may appear to those who believe in unhindered self-development as the highest law. An American Jewish Synod will and can never degenerate into an instrument of hierarchy; it will be a deliberative body like the conference; its authority will be one of confidence and personal weight; consisting of rabbis and non-rabbis it will deal with practical questions in a courageous, sober spirit; convened at long intervals it will deal only with momentous questions such as will be laid

before it by the vote of Jewish organizations; it will have ample time and unlimited resources for delivering opinions that shall command universal respect.

The details of the plan will, no doubt, be worked out in due time so as to ensure the formation of a body of the highest standing and efficiency; when it will once be understood that there is no intention to coerce or discipline, to create hierarchical authority or ecclesiastical power, the present opposition will melt away, being founded upon apprehensions which are opposed to every probability.

[*American Israelite*, Aug. 18, 1904.]

VIEWS OF PRESIDENT SCHECHTER OF THE JEWISH THEOLOGICAL SEMINARY OF AMERICA.

EDITOR ISRAELITE:

Sir:—In reply to your kind invitation to give my opinion on the advisability of calling a Synod composed of rabbis and lay members for the purposes of discussing and deciding certain religious problems in need of solution, I beg to state that this question was put to me some ten years ago by the editor of the *American Hebrew*. My answer then was, that, far from being helpful in any way to the cause of Judaism, such a Synod is bound to prove harmful and mischievous.

I do not remember the exact wording of my answer, but I have a clear recollection that my negative attitude was dictated by the dread of every movement calculated to foster or to encourage hierarchical pretensions and sacerdotal tendencies among us—a dread which I have felt from my earliest youth.

I frankly confess that this dread was hardly justified in that part of the Dispersion where my early youth was spent. Religious instruction there was general and greatly aided by the religious life at home. I scarcely remember a case of a Jew in the community who was not able to read his prayers in Hebrew, or utter the Benediction when called up to the Law, or perform the Service at the Table on Passover Eve. A strong minority could and did read the Bible in the original; at least the Pentateuch, the Psalms, and those lessons from the Prophets which were read as Haftarah; these men were even familiar with the lighter portions of the Talmud; whilst almost every Jewish community could boast of a goodly number of private stu-

dents holding their diploma as rabbis, though they did not choose to make of their Torah "a spade to dig with." Since almost all of those over whose spiritual councils he presided had more or less share in the knowledge of the Torah, from which source his authority emanated, the rabbi was only a *primus inter pares,* and he realized that the difference between him and his flock was merely a matter of quantity and not of quality. Any attempt on the part of the rabbi to minimize the importance of the Torah as the source of his authority, or to play the rôle of lawgiver instead of law-interpreter would have been resented as rank treason and fought to the bitter end. In fact, I do not remember a single instance of such usurpation. My fears of priestly arrogation of authority, I judge now, must have been the outcome of what I had read and heard of other denominations, rather than of anything for which the regular rabbi in the eastern parts of Europe could fairly have been made responsible.

But this early dread, whatever the cause may bave been, was certainly not removed by my later contact with the religious life in the civilized West, where ignorance of the Hebrew language and indifference nullified all historical safeguard over the rabbi, where loyalty to the Torah was largely replaced by devotion to the pet orator, where rabbis were actually "ordaining disciples" instead of examining pupils, where rabbis made invocation and imparted the priestly blessing with the most approved pontifical manner and mien, and where, lastly, rabbis, lacking in all sense of humor and in all sense of proportion, were talking of themselves as prophets and seers, only, of course, more advanced and more "evolutionized" than Isaiah and Micah.

It is evident under these conditions—which must grow worse with the disappearance of those immigrants who still cherish reminiscences of an early contact with a vigorous and active Jewish life during their youth in the old countries—that the possibility of there developing among us a regular ecclesiastical body with all the customary hierarchical arrogance and sacerdotal pretensions is much greater than it ever was at any period since the synagogue became a recognized institution in Judaism. Not the white necktie, nor the clerical waistcoat makes the presumptuous priest; much as one may ridicule these paraphernalia and "aids to dignity." That which

propagates and develops sacerdotalism is the consciousness of the rabbi that he is the sole and last authority in matters spiritual. To possess the power of abrogating doctrine, of ignoring Scriptures, of relegating liturgies to the lumber-room, of playing at will with the festival calendar, of abolishing ceremonies and observances and bidding defiance to all precedent and custom, means to wield a greater authority than any Pope has ever enjoyed, and means to be surer of one's own infallibility than any church ever claimed for its head. And I have enough experience to know that our modern divines are not less dogmatic than the old hierarchy, not less jealous of their glory, not less exacting in obedience, not less fanatical and not less ready to stigmatize their opponents as atheists and sceptics.

Thus, I am fully alive to the danger which may grow out of such a Synod, and entirely share the fears expressed in Dr. Felsenthal's admirable article, though our point of view is not always the same.

On the other hand, there is a plea for the creation of such a legislative body on the ground that individualism has run riot, or, as others expressed it, that we are now in a state of spiritual anarchy. I am not blind to these dangers. Holding the views for which I am known to stand, it would not become me to enter into details upon this point. Probably much that I would describe as anarchy and lawlessness would be defined by others as a mark of vigorous life and progress. Sufficient to state, that the uneasy feeling that we are in a condition of anarchy is not confined to one party; we are all agreed the evil is there, whatever its exact nature and various manifestations. The creation of a Synod bound in some way to exercise a controlling influence upon the whim and caprice of the individual would, so it is thought, prove the best means to counteract the evil. Much, however, as I realize the danger and sympathize with those who are endeavoring to meet it, I am hardly able to suppress the great fear that the remedy may prove worse than the evil. Anarchy as a negative quality is devoid of substance and reality. It is its own worst enemy and ends in over-throwing itself. But the evils of a Synod may be lasting, defying all remedy. The evil I am thinking of is that of a permanent schism in the congregation of Israel. I must explain myself more clearly.

In the "Year Book for 1904 of the Central Conference of Ameri-

can Rabbis," there is a quotation from an address of the late Dr. Isaac M. Wise, from which we learn that in his creation of the Conference of Rabbis and Congregational Delegates, which he apparently wished to develop into a regular Synod, he was "actuated by the earnest desire to preserve the union of Israel and its religion by mutual understanding and union." The impression conveyed by this passage, though he only addressed himself to the American congregations, is that he had the union of Israel at large at heart and wished to preserve and to perpetuate it. His reference, in the same quotation, again to the Bible, Talmud and history, by which he endeavors to prove the legality and usefulness of Synods, impresses one that it was these Books considered sacred by the whole of Israel which he looked upon as authorities in matters of religion. I have not the least desire to foist orthodox views on the late Dr. Wise. The disciples of Dr. Wise and his contemporaries who were in personal touch with him certainly have a better right to interpret the views of the former President of the Hebrew Union College. Impressions, indeed, are vague, and I may be wrong in my deductions, but my impressions gain somewhat in strength by another quotation from Dr. Wise, in which he speaks with apparent disapproval of "the others, reforming head over heels, break with the history of our people." He evidently desired to avoid this break. But it is just this break, which such a Synod as at present proposed, might bring about.

I know that there are many among our leading rabbis who are of the same opinion as their master. I myself have the honor of having friends among those rabbis who are in favor of a Synod, who are just as anxious to preserve the unity of Israel and perpetuate the continuity of our history and tradition, as ever any rabbi in Israel was; but even this knowledge does not dissipate my fears. I hope it will not be considered invidious on my part if I maintain that the spirit with which the creation of a Synod is approached, does not augur well for unity and preservation. At least, this is the impression which I have received from the lengthy report introducing the subject of the Synod. Therein we meet with such expressions as the "superstitious sanctification of lifeless ceremonies and exploded creeds." It is further assumed that "orthodoxy is guided by sentimental, unreasoning respect for things as they are, and in its historic

valuations exercises a certain arbitrariness of judgment." Again, it is maintained that "Israel is a Church in the broad sense of the term; in the sense that was uppermost in Ezra's mind after the return." This is only a paraphrase of the well-known *apercu* of Wellhausen, who maintained, "It was not the nation that returned from exile, but a religious sect." This platitude is repeated by all the Bible critics *ad nauseam,* as it naturally fits into their whole system, which endeavors to prove that the practice of the Law was incompatible with the life of a civilized community, and that an unbridged gulf yawned between pre-exilic Israel and post-exilic Judaism. Every student of Jewish literature, especially of the Halacha, where we meet more with the daily and the practical life of the nation, with its traits, its games, its artisans, its peasants and merchants, its days of mourning and days of joy, its public dances, knows that this assertion is an absolute falsehood. Franz Delitzsch, who knew more about post-Canonical literature than his son, Frederick Delitzsch, knows about the Bible, exclaims: "Why should the post-Exile people be counted a sect? Unity of religion, common religious worship, and a central sanctuary are surely not things which rob people of national character."

I have neither the time nor the inclination to enter upon a controversy, though I should think that one ought to be a little more reserved in his denunciations, considering the fact that the great majority of the best Jewish thinkers, the most learned Jewish scholars, the most able Jewish historians, men renowned for their critical acumen and sound judgment, did *not* belong to the radical section of the community. It may, in passing, be remarked that Frankel, Jacob Bernays, and Sachs were the best Hellenistic scholars among the Jewish rabbis of the last century, but at the same time they were the most staunchly conservative of their generation. The knowledge of Hellenism does not lead to the results which the "Occidental man" is so fond of parading. Nor would, indeed, such a controversy be in any way profitable. When all Jewish opinion is practically set at naught, and Wellhausen is thought to have spoken the last word on the Bible and the history of Israel, and Spencer the last word on philosophy, we have no longer a common platform to make mutual understanding possible. All I wish to urge is that there is a strong

bias among some of us to approach Jewish problems in a spirit alien to Judaism and on assumptions or views largely based on non-Jewish opinion. A Synod in which such a spirit would be prevalent is bound to dissociate us from the large bulk of Israel, which looks for the interpretation of its Scriptures and its history to Jewish opinion, and recognizes in the propagation of the views of certain schools the revival of ancient hostile sects in deadly feud with the Jewish nation and the Jewish religion. To those who are desirous of more information on this point I would recommend the study of Diestel, "Geschichte des Alten Testaments in der Christlichen Kirche." They will learn there how the attacks made by the church upon the Old Testament now repeat themselves in the synagogue. Perhaps they will see, too, that the fathers of the church were more reverential in their language, and more hesitating in their abrogation of the law, than many a Jewish theologian of to-day.

It is true many of these separatist views are preached and taught in many a pulpit, but we are not yet always taken seriously by the rest of Israel, nor by the world at large. Our theological pronouncements are considered as mere excesses of a young community in which theological opinion is still in an unripe and in a transitory condition. They belong to the "chapter of accidents," inevitable in a country like America. People shake their heads but make allowance for the pioneer with his unrest, his constant rush, and his nervous condition, knowing all the time that none is more anxious for an orderly settled life than this pioneer himself. Likewise, it is hoped that, with the increase of knowledge and the establishment of more Jewish communities and the leisure attendant upon a properly settled life which allows man to meditate upon his past, and provide for his spiritual future, Judaism will come to its rights, and tradition and historical institutions will become the same factors in religion as they are now becoming in other departments of life. But when much that is now considered the mere crudities of youth will have been refined into opinion and will have received the sanction of a regular Synod, the face of the matter will wear a new look. Then the schism is sure to come, and we shall be cut off from the universal synagogue. To illustrate my opinion, suppose the Synod decides that Judaism is a church, not a nation. Let us further

suppose, for argument's sake, that the inference drawn from the decision will be that it is in the interest of the church to substitute the Sunday for the Sabbath, which latter day is inconvenient, and to invent some new mode of initiation, taking the place of the rite of the Covenant of Abraham, which has so often been denounced as barbaric. Suppose, further, that the church, after the necessary self-clarification and crystallization of ideas will arrive at the conclusion that it is time to give Jesus, who is declared from many a pulpit as one of our greatest prophets and martyrs, his proper recognition, and to introduce parts of the New Testament—say, the Lord's Prayer and the Sermon on the Mount—into our liturgy and our Scriptures. Suppose, further, that for the purpose of propagating and developing the universalistic mission of the church, intermarriage with non-Jews will be declared not only sanctioned, but desirable and worthy of being promoted. All these views have been mooted, and may appear and reappear. I am certain that at present such a program will meet with stern resistance; but men pass away while Synods remain. I know further how majorities are swayed by the specious arguments of plausible and high-sounding rhetoric, and these arguments gather strength when they are supported by the considerations of comfort and convenience. In this wise such a program might some day be set up as the sanctioned, canonical test of affiliation with the church. And let me say that *we* shall be the sufferers. I am free to confess that I personally dread none of the biblical punishments as much as *Kareth,* as being " cut off " from my people. History teaches that the synagogue can survive any amount of persecution and any number of threatened schisms, but sects decline spiritually and materially and disappear.

If the Synod should become a blessing, it must first recognize a standard of authority and this can be no other than the Bible, the Talmud and the lessons of Jewish history as to the vital and the essential in Judaism. When, for instance, history testifies that Judaism was prepared to suffer martyrdom rather than give up the Sabbath and the Abrahamic rite, we know that their abolition would mean death to Israel. Or, again, when history teaches that Israel always placed the center of gravity of Judaism in the Pentateuch, maintaining this center at the peril of its life, and that all sects hostile

to Judaism were ready to attack it first, we must feel that to shift the center would be to hurl us outside of Judaism. As far as I know, no Jewish Synod of early times representing the whole of Israel ever presumed to abrogate a doctrine or to abolish a single law, biblical or rabbinical. The work of such a Synod was of a disciplinary kind, strengthening the Law and protecting it. After great persecutions, it occasionally introduced new ordinances relating to the laws of evidence and similar matters. Sometimes it forbade things for which there was no distinct authority in the Law, but which fell under the general law of "Holiness" and "Sanctification of the Name of God." The authority was vested not in the rabbis, but in the Torah, by which they were guided in all their actions. It was only in this way that we could avoid the danger of sacerdotalism, as the rabbi would in this case be only its interpreter and executive officer; whilst, on the other hand, the Torah, being the recognized authority of all Jews, those coming by the "Power of the Torah" could only act in a spirit serving to strengthen and preserve "the union of Israel and its religion by mutual understanding and union."

Respectfully,

S. SCHECHTER.

NEW YORK, April 5, 1905.

REPLIES TO LETTER OF COMMITTEE (VIDE PREFACE) ADDRESSED TO LAYMEN FOR VIEWS ON THE ADVISABILITY OF ESTABLISHING A SYNOD.

Philadelphia, January 3, 1905.

Dear Sir: In reply to your request for my opinion on the reports and discussions published in the Year-Book of the Central Conference of American Rabbis for the year 1904, on the subject of the establishment of a Synod, I may say in the first place, that I can see no valid reason against such an organization.

The reasons suggested for such a Synod at the end of the report of Rabbi Enelow seem to me to outweigh all the opinions expressed against it. The union of two such bodies as the Central Conference and the Union of American Hebrew Congregations would result in an organization fully representative of Reform Judaism. Of course, such a body would neither have, nor attempt to exercise, legislative or judicial functions, nor attempt to enforce its decrees. All this is impossible at this time. The resolutions and decisions of such an organization would affect individual belief and practice only in so far as the essential reasonableness of such resolutions and decisions would eventually gain acceptance for them among those who are represented in this organization. Such an organization might express its formal opinion upon many minor questions of practice and ritual as well as upon Jewish educational problems and the like, and there can be no doubt that its influence in this direction would be beneficial. The very existence of such an organization would limit the output of new so-called reforms dictated by the fancy or caprice of individual rabbis. It could do much toward cultivating and directing intelligent public opinion and thus preventing many of the "improvements" that have heretofore been offered in the name of Reform Judaism.

But the great importance of such an organization, it seems to me, will be found in a much broader field of activity. Many questions now exist and will hereafter arise affecting the Jews of America in a broad way. These are not questions of faith or ceremonial, but

questions of religious liberty. The relation of the Jew to his environment has by no means been settled in this country, and the existence of a representative and important body, such as this proposed Synod might be made to become, would be of the greatest use in many an emergency. The Jews in America need a spokesman of recognized authority and influence to take the place of the well-meaning, but often misdirected, volunteer efforts of individuals. The Reformed Jews are now a minority in this country, and will probably continue to be so for a long time, but they are an important minority. The bulk of the communal work is done by them and their voice is heard more frequently than that of the Orthodox or conservative. As a matter of fact, the real Orthodox Jew has not yet taken his proper share in the communal work outside of the Ghetto. The conservative element which is frequently called the Orthodox to distinguish it from Reformed Jews, but which in reality should be called moderate reform, differs in some important respects from the so-called reform element, and this difference is due largely to the fact that the reform movement in America has not been directed or influenced by an authoritative body of its best men. Had such an organization existed during the last fifty years there would probably have been very little difference to-day between the conservative and the reformed elements among American Jews. The fault has been that in the absence of intelligent and authoritative direction the vagaries of the individual rabbi have done much to bring about the present condition of anarchy in our religious life. The reform movement seems to me now to be making an effort to re-attach the broken fibers of the chain of historical tradition, broken in many a hasty and ill-directed individual effort to hasten the millennium by reforming Judaism out of existence. In the direction of conservative control and wise progress a Synod such as that proposed can do great work.

The time may come when Orthodox Jews will likewise organize themselves and establish a Synod to represent them. The functions of this Synod will differ materially from those of a Synod of Reformed Jews. After the establishment of both these organizations the final result may be a union of all Jews in this country in one organization. This now seems impossible, and if at all realizable

will be so only in the distant future. For the present the organization of a Reform Synod will be a step in the right direction, considering it in its larger aspect as well as in its more immediate results on matters of lesser importance.

Yous truly,

D. W. AMRAM.

Dear Sir:—Soon after the Louisville meeting of the Central Conference of American Rabbis, *The American Israelite* invited contributions from lay Jews all over the country to a symposium on the subject of a Synod as proposed to and discussed by the Conference. At that time the year book of the Conference, which has since been published, was not available, hence those who wrote for *The American Israelite* had to rely upon press reports for information of what took place at the Conference. I complied with a request addressed to me for a contribution, with that which follows. Therein are stated the views I held last summer and no reasons have been presented to my mind since, to make me change them.

My attention has been called to the fact that the majority report of the committee, to which the Synod-subject was referred, and which report favors the formation of a Synod, nowhere refers to an amalgamation of the Union of American Hebrew Congregations and the Central Conference of American Rabbis for Synodal purposes, and that, therefore, my criticism of such a proposal was unjustified. However, I have carefully read every word of the discussion contained in the Year Book, since published, and I fail to find that any one, either in committee or otherwise, found fault with the plan of organization suggested by Rev. Dr. H. G. Enelow, Chairman of the Synod Committee, the first paragraph of which is:—

"The Central Conference of American Rabbis and the Union of American Hebrew Congregations shall conjointly form the American Jewish Synod." Furthermore, the report of the President of the Conference (Rev. Dr. Joseph Krauskopf) discusses the urgent need of a Synod and makes some suggestions concerning its formation but defers to the opinion of Dr. Enelow in this graceful way: "The best will undoubtedly be given us by our colleague, Dr. Enelow, who has given the subject much study and research, more especially within the past year."

I would add another word. My contribution appeared in *The American Israelite* within the week preceding the Day of Atonement, and I have it upon reliable authority that quite a number of the Jews of Cincinnati, whose places of business have been open on that day for years, closed them in 1904. Mention is made of this circumstance because it seems to justify by belief, expressed in the appended article, that much apparent callousness and indifference of the laity might be removed by direct effort on the part of the Rabbis.

It is strange that the Committee on Synod should have recommended to the Conference a plan of organization which provides that "The Central Conference of American Rabbis and the Union of American Hebrew Congregations shall conjointly form the American Jewish Synod," thereby overlooking the important fact that the fundamental law of the Union of American Hebrew Congregations forbids such an alliance. And this oversight is the more surprising in view of the stress which the committee lays on the history of the unsuccessful attempt of the sainted Dr. Wise to organize a Synod in Cleveland in 1855 and crediting that failure with responsibility for the formation of "the two separate organizations American Judaism now possesses, the Union of American Hebrew Congregations (1873) and the Central Conference of American Rabbis (1899). The establishment of these distinct associations really meant the subdivision of the hypothetical Synod."

When the Union of American Hebrew Congregations was formed, the Cleveland experience of eighteen years before was not forgotten; '73 was no more favorable to the formation of a Synod than was '55. No one was more clever in reading the signs of the times than Dr. Wise; moreover, he never deluded himself. So when the Union of American Hebrew Congregations was in contemplation, all thought of making it a Synod in name or in fact was banished—not dismissed indirectly or inferentially—but emphatically and conclusively, as any one who reads the earliest sections of the Constitutions must realize. These clauses are:

The objects of the Union are—

A.—To establish and maintain institutions for instruction in the higher branches of Hebrew literature and Jewish theology, with the

necessary preparatory schools in such cities of those States as may hereafter be designated.

B.—To establish relations with kindred organizations in other parts of the world, for the relief of the Jews from political oppression, and for rendering them such aid for their intellectual elevation as may be within reach of this Union.

C.—To promote the religious instruction of the young by the training of competent teachers, and generally encourage the study of the Scriptures and of the tenets and history of Judaism.

All this, however, without interfering in any manner whatsoever with the worship, the schools, or any other of the congregational institutions.

I have italicized the words to which attention is especially called. Witnesses there are, and plenty of them, now in life who were active in the formation of the Union, who know that unless those pregnant words had been given place where they are, the efforts to organize the Union in Cincinnati would have been only a repetition of the failure to form a Synod in Cleveland.

The truth is that on both occasions congregational autonomy was demanded and insisted on.

It will not do to say that the Synod, which our good friends of the Conference would form, does not intend to interfere with the independence of individual congregations—that was doubtless said in 1855, and has been said whenever a Synod has been proposed.

Now if, fundamentally, the Union of American Hebrew Congregations is forbidden from interfering in any manner whatsoever with the worship, the schools, or any other of the congregational institutions, surely it cannot join with another body in doing the prohibited act. The learned chairman of the committee submitting the report to the Conference frankly says: "Suppose the two bodies (the Union and the Conference) to act together on any subject of vital concern, and you have a Synod in the historic sense of the term." Well, it was a Synod that was frowned upon at Cleveland, and only because in unmistakable terms the intention not to form a Synod was expressed in the first paragraphs of the Constitution of the Union, that it was formed, with an incalculable amount of resultant good.

The legal and moral impossibility of a confederacy of the Union of American Hebrew Congregations and the Central Conference of American Rabbis, for the purpose of forming a Synod, is so manifest to me that I cannot refrain from expressing surprise that the committee, in the first instance, should have urged such an alliance, and, having done so, that some other member of the Conference should not have seen the inappropriateness of the proposition.

If I am correct in the above conclusion, then, technically, I have fully complied with the terms of the invitation to express my views on the Synod question proposed at the Louisville Conference, with which the *Israelite* has honored me. But I assume that the real desire was for an expression of opinion from the viewpoint of the man in the pew, as to the wisdom, advisability, and desirability of the formation of a Synod composed of rabbis and laymen—in short, a discussion of the spirit of the Conference proposal, rather than the letter thereof.

The request for my views came to me several weeks ago, and my answer is not the creature of impetuosity. Appreciating the importance of the proposition, I have tried to look it squarely in the face, and to that end I have endeavored to secure all possible light thereon. Guided by the information available to me and such experience as I have had in matters Jewish and among my co-religionists, I am not able to conclude that a Jewish Synod in this country will realize the expectations of those who advocate its formation, and if one were able to stop with this remark the experiment might be worth trying; but, as I shall attempt to show hereafter, the result of failure will be to make conditions infinitely worse, instead of bettering them. Failure would not leave us where we began; it would thrust us into confusion worse confounded.

Let us admit that conditions in American Jewry are deplorably chaotic; that there are so many degrees of so-called Reform that the most conservative bears closer resemblance to mild orthodoxy than to the ultra-radical.

Let us concede that there is no body in existence that has authority to announce what departures may be made from ancient and medieval doctrines, customs and practices, without forfeiting the right to full membership in the household of Israel.

Let us grant that if it were possible to convene an assemblage of universally-conceded competent Jews—competent in the widest sense, so competent that their judgment would be accepted as final—then with all haste there should be submitted to them the questions which perplex and divide the Reform Jews of America.

But such a convention admittedly is beyond present day possibilities.

The committee proposes that the Synod shall be nominally the "central administrative body for American Judaism." It is not actually to be invested with the first attribute thereof, *i. e.,* authority to execute its own decrees. Here is contradiction ample to furnish food for contention for all time.

I cannot help believing that a mixed Synod, with the functions ascribed by the committee, would be calculated to further embarrass present circumstances. If I judge indications aright, the opinions of such a Synod would not unify rabbis and laymen now holding divergent views. To the extent that present practices were persevered in after the Synod had pronounced against them, there would exist that chaotic state which all deplore, plus the element of disregard for what had been decided by duly constituted authority—in name, at least. In a word, we would then suffer from chaos and rebellion.

Those, who differ from this view and hold that opinions of such a Synod would meet with respectful acquiescence regardless of how they reversed prevailing habits and actions, must needs attribute to rabbis and laymen, among other qualities, these:

Willingness to surrender life-long convictions.

The manly courage which alone prompts the maker of mistakes to admit them.

The sort of unselfishness that is involved in yielding up pet ideas.

Readiness to concede to others that sincerity of purpose claimed for self.

Preparedness to alter, to an extent, one's mode of life and bear the loss incident thereto.

I am compelled to confess that I cannot discover in the men who occupy pulpit or pew that standard of broadmindedness, unselfishness, and disinterestedness which furnishes the test of capacity to make

these concessions. Of course, I speak of men as they are found in general. Thank God, there are exceptions. We would fare badly if there were not.

Here are some reasons why I am skeptical: Suppose that the Synod should declare that the hoary seventh-day Sabbath is Israel's Sabbath, which neither time nor circumstances may change, and further should declare that where its observance is not possible by reason of commercial stress a week-day service with Bible lesson or appropriate sermon may be given with perfect propriety, but this shall never be done to the exclusion of the regular Sabbath service—proclaiming that a place of worship is not a Jewish place of worship if its doors are sealed on the Jewish Sabbath—do you think that such a pronouncement would revive Sabbath services in a house of prayer that had denied them for two decades?

Do you believe that the rabbi who feels it an honor to be called on to marry a couple, of whom one by birth is a member of the rabbi's faith and the other is not, would cease to regard the request as an honor should the Synod set its stamp of disapproval on such a performance? My word for it, rabbis and others who make advances (?) such as these are not apt to recall them.

Is it supposable that the congregation in the East which listened for years to its well-beloved rabbi's appeal to abolish the Oriental custom of covering the head during services, and repeatedly refused to comply, lately accepting his resignation rather than make the change—and the rabbi is a member of the Conference, too—I repeat, is it supposable that such a congregation would heed the behest of a Synod to do the thing which had thus been rejected?

It will require more than a dictum to change the trend of thought that prevails there.

Had the Central Conference of American Rabbis done nothing beyond satisfying the great need of Reform congregations for a uniform prayer-book, that act, in the word of our old Haggadah, would have been *dayenu*—sufficient—to justify its existence. One would think that only some very weighty cause would prevent this book from being used in all temples spiritually presided over by members of the Conference, under whose auspices it was prepared and is published. Yet he who thus reasons would be in error, for it

is not so used, and among those who neglected it is an exalted officer of the Conference, who does not use the Union Prayer-book in his temple, for if he did it would displace a ritual prepared by himself. This rabbi is a firm believer in a Synod.

Nor do I see in the lay Jew of to-day either the religious fervor of the knowledge of his faith and its history and traditions essential to make him a useful member of a body designed to mould the conduct of the Jewish masses.

Regretfully do I notice, in place of zeal, indifference, and instead of anxiety to learn what it is that has kept a handful of people intact these countless ages among the nations, great and small, that have come and gone—a problem which all the world, aside from the Jew, is intensely interested in solving—I observe a full-nigh absolute callousness upon the part of many of my co-religionists. Why this should be so I do not know. Maybe it is because most of the fathers of the present generation lived in the period of transition from Orthodoxy to Reform, when the old was discarded and the new not embraced, or, if embraced at all, only with half-heartedness, and when the younger set came to the fore in order not to be outdone by their elders they yielded up the other half of the heartedness and retained none of it for themselves. Now too, the material tendencies of the age have not escaped the Jew nor left him scarless. He has prospered enormously, and in prosperity religious zeal and fervor are never found as in times of severe trial and adversity.

But whatever the causes may be, the lay Jew, as I view him, is not fit to take part in the work of a Synod because he has not the necessary knowledge to perform the service intelligently, and besides too frequently his course of life from a Jewish standpoint utterly disqualifies him from laying down a standard after which the Judaism of others should be patterned.

Am I too severe? Let us see.

These lines are written within a fortnight of the solemn Day of Atonement and I am thinking of it and its observance in my home city, which bears the reputation of being above the average in the conservatism of its Jewish inhabitants.

If they are deficient it surely is not because they have not had the association, inspiration, and guidance of as able religious teachers

and leaders—in the past and in the present—as this land has ever known. The presumption, therefore, is not violent that the laxity, which prevails there, exists elsewhere in at least like degree.

The time was, and that within the memory of those who have not yet passed the meridian of their lives, when not a single place of business conducted by a Jew was open on this sacred day in Cincinnati. Suddenly, a few years ago, one or two departed from custom, and their example, like a contagious disease, has bred defection until now very many of the largest establishments owned and conducted by Jews are in as full operation on this as on any ordinary day. And there are lawyers, too, the extent of whose practice does not require them to work overtime, who sit at their desks as if there were nothing to distinguish this from the general run of days.

Who are these men? Are they Jewish castaways, black sheep, ne'er-do-wells that are to be found in every community?

By no means.

Included among them are Temple trustees, Sabbath-school Committeemen, pillars of Jewish organizations of national scope which undertake to speak and act for American Israel. And as truly as I live, if a Synod were created, among the laymen selected therefor would be found not a few of these holy day desecrators.

No excuse can be offered for their conduct, and none would be given. They would simply say that they consider the ancient injunctions for the day have no application to the twentieth century in America.

It has often occurred to me that if I were the rabbi of a Congregation, having among my flock—and especially if he were an officer, trustee or Sabbath-school committeeman—such an offender as I have described, realizing that I had failed to reach him from the pulpit, either because he would not come to hear me, or having heard, heeded not, I would call upon him and urge him meditate upon the course he was pursuing. I would present to him his shortcoming with due gravity. If I failed to move him by argument and reasoning, from the depth of my soul I would pour my feelings into his soul and plead with him to reconsider his waywardness, and I would try to make him realize that if his course were adopted

generally the end of Judaism had come. I would direct his attention to the inconsistency of his actively supporting a distinctively Jewish institution—a house of prayer—and his living in diametrical opposition to its teachings. I would appeal to him by the thrilling history of our ancestors, who at certain periods fought, bled, and died on the field of battle; at other times endured persecution, ostracism, and banishment, and again walked willing martyrs to the stake and faggot, rather than forsake the Holy Torah, so that it might descend undefiled to him and to me; and if thus I did not penetrate his Jewish feelings, I should pursue the subject in a personal way, saying that his flagrant abuses were a reflection on me as his rabbi, construable in no other way than that I was incapable of accomplishing the task performed by my predecessors for thousands of years, and finally, all else availing not, I would speak to him of decency and manliness and fair play. I would point out to him that it is cowardly to take advantage of his neighbor-tradesman who respects the day and gives his Jewish employes an opportunity to do the same without asking it as a favor, and that these Jewish merchants were entitled to at least the same spirit of fellowship at his hands as he shows his Christian neighbor, when he suspends business operations on days which cannot possibly appeal to him, only because a kindly feeling ought to prevail, and not to shut down business on such days would be regarded as taking unfair advantage of those who do.

If I were a rabbi and had pursued the course thus briefly outlined, and success crowned my endeavor, I should be supremely happy; if I failed I should feel that to the extent of my ability I had done my duty.

In a preceding paragraph the attempt has been made to show that the lives of too many Jews of prominence do not comport with positions which they now hold in Jewish institutions, and much less does their conduct justify their selection as members of a Synod. Reference has likewise been made to the lack of proper equipment of the laity to fill the place. Apropos of this last feature and as illustrating that lack of proper equipment does not necessarily mean absence of scholarly ability, I would like to repeat a few words from the learned disquisition prepared for this symposium by Mr. Israel H. Peres, which appeared in the *Israelite* of August 18. He said:

"The creed of the Jew is a belief in God and His all-wise Providence, in the immortality of the soul, and although he no longer waits the coming of Christ in the Orthodox sense, he is waiting in patience and in suffering the coming of Christ's great influence upon all the peoples of the earth, when they, bending under His love, will dwell together in peace and harmony and cease to hate and kill each other." Here is a new doctrine in Judaism sure enough. "Waiting in patience, and in suffering the coming of Christ's great influence upon all the peoples of the earth." Of course, the author intended this beautiful sentiment to be taken as a figure of speech merely, but we need protection against such flights of fancy. Figurative expressions like the one quoted are at least as inappropriate as a cross crowning a synagogue would be misplaced, even though it were put there merely to satisfy a craving for the beautiful in architecture.

I have written of rabbi and laymen unrestrainedly—but with a heart which harbors neither bitterness nor despair—with the single purpose of presenting reasons why I do not believe a mixed Synod at this time would subserve the cause of Judaism in America.

While not responsive to the terms of the invitation extended by the *Israelite,* I desire to say that as a layman I heartily approve the purpose of the Central Conference of American Rabbis, or to be more precise, I believe that an organization composed exclusively of rabbis, the object of which is to discuss and decide questions which in their opinion are of importance to the Jews of America, ought to exist, and is better qualified to advise on matters of religion and religious practice than a body part clerical and part lay would be, for the best of all reasons, that the subjects treated are clearly and definitely within the domain of their special study and calling. Moreover, the estimate that should properly be placed on a minister's words and arguments can be made with fairness only by those who are thoroughly versed in the subject matter under discussion—ministers and not laymen. The wisest course, that could be pursued by laymen if a mixed Synod were instituted, would be to adopt the views of the rabbis in whom they have greatest confidence—and that is not always a just way to act.

The main if not the sole purpose of introducing the lay element into a Synod is to secure practicality in its proceedings. As to this—

let the rabbis announce what is right; what is Jewish; and the governing powers of each Congregation will decide how closely the members are able under existing conditions to conform thereto, and that would be done even though the Synod were mixed—a disclaimer having been entered in advance that there is the slightest intention of encroaching on the right of Congregational self-government.

Finally, I would have the members participate in the work of the Conference as ministers in Israel and not as rabbis filling particular pulpits. Emphatically their labor will be better done if undertaken in behalf of American Judaism than if it spells the desires of special communities. I would have them meet as ministers of God, on a platform as broad as great Judaism itself, unhampered by a narrow thought of any kind; with heart and mind and soul intent on serving the Eternal by promulgating in their pristine purity His all-wise messages to mankind.

ALFRED M. COHEN.

Little Rock, Ark., December 11, 1904.

Dear Doctor: I beg to acknowledge the receipt of your letter of the 23d of November, answer to which was delayed until after I received the book you referred to. In reply to your request that I give you my views upon the expediency of establishing or introducing the Synod, I have to say:

A Synod, to put the idea into different words, means a combination of experienced and discreet men, brought together for the purpose of settling doctrines or disputes relating to the spiritual affairs of a given creed. In matters of creedal welfare so far as concerns the affairs of Reform Judaism in the United States in a material point of view, a combination of individuals has long been current, in the form of the Union of Congregations and the committees of that union. Hardly any one will deny that this combination has been beneficial in a practical point of view, and that the benefits so resulting would have been impracticable if we would have depended upon the discreet activity of individuals working independently of each other, however able such individuals may have been. The Synod will, from another direction, do work in combination, for the welfare of the *common* creed, and will inform that

creed with characteristics which are *common,* and are not the eccentric productions of geniuses acting separately. And in this way it will supplement the work of the Union.

It need not follow that dogmatism and crystallization of creed will thereby occur to a prejudicial extent. We have arrived at a stage of social progress which, so far as Judaism is concerned, leaves little room for well-grounded fear of reactionary results from this, or any other effective source.

If to combine upon an increasing and widening scale is the almost universal feature of the modern age, in material, educational, artistic and moral matters, it is obvious that combination must be of as much, if not more, importance in matters which affect our spiritual good and effect our spiritual regeneration and advancement.

For these reasons, and for the reasons set forth by the committee of your Conference and by Dr. Margolis, in a recent brochure, I favor the Synod. Yours truly,

MORRIS M. COHN.

Indianapolis, February 15, 1905.

Do we want a Synod in Reform Judasim?

This question can well be answered in the negative as the creation of such a body would be dangerous, perhaps fatal, to the progress of Judaism in this country.

During the past fifty years Reform Judaism has made wonderful progress, keeping step with the reform spirit of the country and of the age. To-day a new condition is presenting itself. With the influx of the multitude of Jews coming to our country to escape the tyranny of persecution, we are confronted with the problem of assimilating this mass of orthodoxy, and while teaching these people how to live in a free country, to also teach them the beauties of a free religion.

It has always seemed to me that one of the beauties of our religion was the fact that each individual was at liberty to worship the one God in such a manner as his heart and his conscience dictated without any human agency trying to force him to follow along a narrow path.

Reform Judaism has tried to get away from obsolete ceremonials and has taught that true religion consists not in empty forms and ceremonies, but rather in an effort to make humanity more Godlike; to give the Jew higher ideals of life; to make him feel that each man has a mission to perform, and that each man can make the world better for having lived.

Then why should we take a step backward and install a body that would sooner or later take upon itself to try and direct all Jewish thought, all Jewish life, and relegate American Judaism back to the narrow groove of ceremonials and dogma that has so often been its bane.

The American Jew is one of independent thought, who, while firmly believing in the cardinal principles of Judaism, will not allow a human agency to dictate to him the manner in which he shall worship his God.

The foreign Jew, who is now coming to our shores, is bound around with the shackles of orthodoxy, and unless we can offer in exchange a religion free from the restraints such as a Synod would doubtless inject into Reform Judaism, will either remain within the tenets of his orthodoxy, or seek the freedom of the unchurched.

The question that confronts American Judaism is not whether the marriage of a Christian girl to a Jew entitles her upon her death to sleep in a Jewish cemetery, or whether a Jew dare worship his Creator upon any of the seven days of the week, but rather what shall we do to Americanize this foreign element that is now coming to these shores, both as to its citizenship and its Judaism.

This can be done in both cases by teaching him the beauties of freedom in all things so long as it does not interfere with the rights of others.

This is the question that confronts the American rabbinate as well as the laity, and it is to this that we should bend all our energies, depending upon the methods that have enabled the American Jew to place his religion upon the high plane it occupies before the world to-day, ever trying to take a step forward, relegating to the rear the things that in the past were tried and found wanting.

SOL. S. KISER.

Dear Sir: I feel that your courteous invitation, to one who is not in harmony with the principles represented by your Conference, to state his opinion on the question of the advisability of forming a Synod, demands a reply even at the risk of its proving to be an unsatisfactory one.

That the reform party in Judaism forms a separate and distinct branch of the Keneseth Yisrael is so patent that it must be recognized by all. However much we may regret the schism, we are bound to recognize that it exists, and that the breach cannot be healed. It is entirely in consonance with the principles I believe in, to hope that the development of reform Judaism may proceed on an orderly system and in such a way as to discourage the vagaries and anarchy of extreme individualism. A Synod properly constituted might check these radical tendencies and lead to a systematic evolution. But on the other hand it might give these tendencies and practices the force and prestige which an official endorsement conveys. We should then witness the sorry spectacle of reform Judaism authoritatively sanctioning Sunday services, which are un-Jewish in spirit, notwithstanding the declaration of the Conference at its last meeting to the contrary; and we might witness the official confirmation of equally un-Jewish doctrines which are nowadays frequently promulgated from Jewish pulpits, particularly in the absurd Christmas and Easter sermons with which we are annually favored by radical preachers.

The constitution of the Synod is therefore a matter of vital importance. The personal equation cannot be ignored. Not all ministers who possess a rabbinical diploma are qualified to pass on questions of Jewish law, custom and tradition. The number of those who are not ministers who are so qualified is so small as to render the indiscriminate inclusion of such an element in a Synod a palpable absurdity. I greatly doubt whether the decrees of any Reform Synod would command the support of all of its members. If it would not, its creation would be useless labor. A number of the members of your Conference, on their own initiative, still persist in using prayer-books and hymnals arranged by themselves and others to the exclusion of those which are authorized by the Conference. What likelihod is there that they would treat the decrees of a Synod with any greater respect?

If a Reform Synod had been created at the inception of the reform movement it would have had a basis from which to proceed. After half a century of individualistic chaos where can such a basis be found?

I have been requested to answer a question and instead I am asking others. But they are questions which the Conference must ask itself in order that it may arrive at a safe conclusion. For after all the Conference and not those, who are, like myself outside its sphere of influence, must decide the question according to its idea of what is best for the religious welfare of the constituency which its members represent. Yours very truly,

EPHRAIM LEDERER,
Philadelphia, Pa.

Cleveland, Ohio, December 24, 1904.

My Dear Doctor: Pardon my delay in replying to your favor of November 23, asking for an expression as to the advisability and feasibility of establishing a Jewish Synod in this country. In reply would state that I do not believe a Synod either advisable or feasible. Not feasible because neither the Union of American Hebrew Congregations, nor the United Conference of American Rabbis (especially the Conference) have a real harmony, and not advisable because no authoritative body is desired. If the Synod is to be a body with authority, it is not to be desired in American Israel; and if it is to be a body without authority, it is unnecessary. Better that the Conference should do its work and do it successfully and that the Union should do its work and become a real Union of Congregations.

Very truly yours,

M. A. MARKS.

New York, January 20, 1905.

My Dear Sir: I have read over the reports on Synod in the Year-Book of the Central Conference of American Rabbis, which you have been good enough to send me.

It is not quite clear to me, nor have I been able to get sufficient information as to this in the report and discussions on the subject,

what work the Synod is actully to perform. I do not believe that the Reform Jew in the United States will much follow and be interested in advice given by an ecclesiastical body, such as I believe is in the mind of the proposers of a permanent Synod, nor would the Reform Jew submit to laws or regulations promulgated by a Synod or any other body. Unfortunately the large mass of American Israelites have become a law to themselves, doing what appears right in their own eyes without reference to the Law of Moses and tradition, and I fear this state of affairs could not be affected directly or indirectly by a Synod, such as is suggested by the majority report on the subject.

I feel, therefore, reluctantly constrained to advise against the proposition and only wish I could bring myself to a different view, for the tendency to disregard celestial authority, which so generally prevails, cannot be but unfortunate for the future of Judaism.

Believe me, with much respect, yours very truly,

JACOB H. SCHIFF.

Sacramento, Cal., December 19, 1904.

Dear Sir: Your letter of the 23d inst., also a copy of the proceedings of the Central Conference of American Rabbis for 1904 came duly to hand.

Before attempting to comply with your request, to express an opinion as to the advisability and feasibility of establishing a Jewish Synod in this country, I carefully read the proceedings of the Conference, which in the discussion presents strong reasons on both sides of the question. I endeavored to read the discussion judicially with a view of reaching a conclusion purely on the merits of the reasons presented pro and con.

The frame of mind in which the discussion left me was that the advocates for the Synod overestimate its importance and its probable value to American Judaism, and that the advocates against the Synod overestimate the evil likely to follow its creation.

To my mind, the proposed Synod is likely to do little good and little harm. If never brought into existence, little will be lost; if created, little or no harm will follow.

If it is proposed to establish an ecclesiastical body in this country with power to enforce its decrees, it would then be important for the laity to have a representation in such body, so that its views might be heard and its interests considered. Were it possible to clothe such body with power to enforce its decrees, sooner or later the evil would develop of these decrees becoming tyrannic and despotic in spirit, and all the possible good to be derived from a central body would be more than counterbalanced by the despotism and tyranny which it would be likely to bring forth. But, fortunately, it is impossible, in this country, to give such a body the power to enforce its decisions and its enactments; and hence, all that it can hope to accomplish must be purely recommendatory in character. This being so, I cannot see what is to be gained by watering questions on purely spiritual and religious issues by lay opinions.

Yours truly,

H. WEINSTOCK.

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